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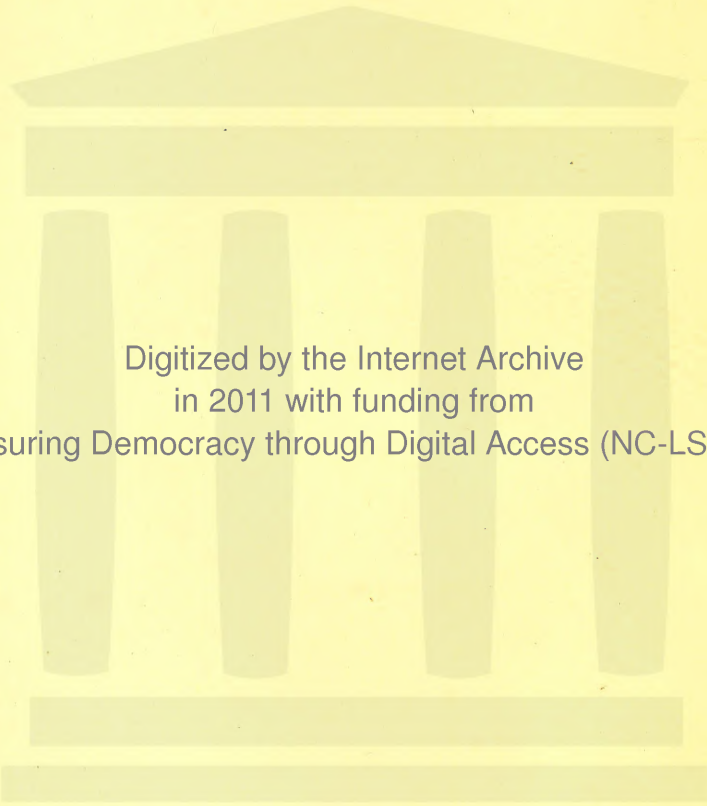












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**JOURNAL**  
**OF**  
**THE SENATE**  
**OF THE**  
**GENERAL ASSEMBLY**  
**OF THE STATE OF**  
**NORTH CAROLINA**

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**SESSION 1933**

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RALEIGH, N. C.  
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1933





# OFFICERS AND MEMBERS

## of the

# THE SENATE OF NORTH CAROLINA

## SESSION 1933

A. H. GRAHAM, *President*..... Hillsboro  
W. G. CLARK, *President Pro-Tem*..... Tarboro  
LEROY MARTIN, *Principal Clerk*..... Hamptonville  
J. D. NORTON, *Sergeant-At-Arms*..... Whittier  
B. F. SMITH, *Reading Clerk*..... Raleigh

DISTRICT	NAME OF SENATOR	POSTOFFICE
1	D. W. BAGLEY.....	Moyock
1	L. E. GRIFFIN.....	Edenton
2	A. D. MACLEAN.....	Washington
2	C. L. BAILEY.....	Plymouth
3	W. H. JOYNER.....	Garysburg
4	W. G. CLARK.....	Tarboro
4	DR. T. W. M. LONG.....	Roanoke Rapids
5	A. B. COREY.....	Greenville
6	J. C. DEMPSEY.....	Wilson
6	E. F. GRIFFIN.....	Louisburg
7	LARRY I. MOORE.....	New Bern
7	E. W. SUMMERSILL.....	Jacksonville
8	D. H. BLAND.....	Goldsboro
8	PAUL D. GRADY.....	Kenly
9	W. A. BROWN.....	Rocky Point
9	J. ABNER BARKER.....	Roseboro
10	GEORGE MCNEILL.....	Fayetteville
10	J. D. BEATTY, JR.....	Elizabethtown
11	DAVID H. FULLER.....	Lumberton
12	RYAN MCBRYDE.....	Rae ford
12	HENRY L. INGRAM.....	Asheboro
13	JOHN W. HINSDALE.....	Raleigh
13	T. S. CROSS.....	Sanford
14	D. P. McDUFFEE.....	Henderson
15	J. W. NOELL.....	Roxboro
16	D. J. WALKER.....	Burlington
16	JOHN SPRUNT HILL.....	Durham
17	ALLEN H. GWYN.....	Reidsville
17	C. M. WAYNICK.....	High Point
18	W. O. BURGIN.....	Lexington
18	L. M. BLUE.....	Gibson
19	W. K. BOGGAN.....	Wadesboro
19	CRAYTON C. EPIRD.....	Albemarle
20	T. L. KIRKPATRICK.....	Charlotte
20	L. T. HARTSELL, JR.....	Concord
21	HAYDEN CLEMENT.....	Salisbury
22	R. M. HANES.....	Winston-Salem
23	S. GILMER SPARGER.....	Walnut Cove
24	J. M. BLACKBURN.....	North Wilkesboro
25	JOHN W. AIKEN.....	Hickory
25	E. M. LAND.....	Statesville
26	R. GRADY RANKIN.....	Gastonia
27	J. O. BELL.....	Tuxedo
27	STOVER P. DUNAGAN.....	Rutherfordton
28	E. M. HAIRFIELD.....	Morganton
29	P. T. MCNEILL.....	West Jefferson
30	GEORGE L. GREENE.....	Bakersville
31	C. E. BLACKSTOCK.....	Asheville
32	R. ROY FRANCIS.....	Waynesville
33	R. A. PATTON.....	Franklin





# SENATE JOURNAL

## SESSION 1933

### FIRST DAY

SENATE CHAMBER,

WEDNESDAY, January 4, 1933.

In accordance with law, at the hour of 12 M. the Senate of the General Assembly of North Carolina assembled this day in the Senate Chamber in the city of Raleigh.

In the absence of the Lieutenant Governor, Honorable R. T. Fountain, detained by illness, the Senate is called to order by LeRoy Martin, Principal Clerk of the Senate.

Prayer is offered by Rev. Milton A. Barber, Rector of Christ Church, Raleigh, N. C.

The following Senators-elect appear with the proper certificates of election, and take and subscribe to the following prescribed oath of office, which is administered by Judge W. J. Brogden:

"We, and each of us, do solemnly and sincerely swear that we will support the Constitution of the United States, that we will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof, and that we will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of our knowledge and ability and that we will faithfully discharge our duties as Senators: So help us, God."

*First District*—D. W. Bagley and L. E. Griffin.

*Second District*—A. D. MacLean and C. L. Bailey.

*Third District*—W. H. Joyner.

*Fourth District*—W. G. Clark and Dr. T. W. M. Long.

*Fifth District*—A. B. Corey.

*Sixth District*—J. C. Dempsey and E. F. Griffin.

*Seventh District*—Larry I. Moore.

*Eighth District*—D. H. Bland and Paul D. Grady.

*Ninth District*—W. A. Brown and J. Abner Barker.

*Tenth District*—George McNeill and J. D. Beatty, Jr.

*Eleventh District*—David H. Fuller.

*Twelfth District*—Ryan McBryde and Henry L. Ingram.

*Thirteenth District*—John W. Hinsdale and T. S. Cross.

*Fourteenth District*—D. P. McDuffee.

*Fifteenth District*—J. W. Noell.

*Sixteenth District*—D. J. Walker and John Sprunt Hill.

*Seventeenth District*—Allen H. Gwyn and C. M. Waynick.

*Eighteenth District*—W. O. Burgin and L. M. Blue.

*Nineteenth District*—W. K. Boggan and Grayon C. Efird.

*Twentieth District*—T. L. Kirkpatrick and L. T. Hartsell, Jr.

*Twenty-first District*—Hayden Clement.

*Twenty-second District*—R. M. Hanes.

*Twenty-third District*—S. Gilmer Sparger.

*Twenty-fourth District*—J. M. Blackburn.

*Twenty-fifth District*—John W. Aiken and E. M. Land.

*Twenty-sixth District*—R. Grady Rankin.

*Twenty-seventh District*—J. O. Bell and Stover P. Dunagan.

*Twenty-eighth District*—E. M. Hairfield.

*Twenty-ninth District*—P. T. McNeill.

*Thirtieth District*—George L. Greene.

*Thirty-first District*—C. E. Blackstock.

*Thirty-second District*—R. Roy Francis.

*Thirty-third District*—R. A. Patton.

Senator Moore states that his colleague, Senator Summersill is prevented from being present by illness.

It appearing that a quorum is present, the Principal Clerk announces that the Senate is ready to proceed with the election of officers.

#### ELECTION OF OFFICERS

For President *pro tempore* of the Senate, Senator Moore places in nomination Senator W. G. Clark of Edgecombe County.

Senator Grady seconds the nomination.

There being no further nominations, the roll of the Senate is called.

Those voting for Senator Clark are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick,—49.

Senator Clark, having received the unanimous vote of the Senators present, is declared duly elected and he takes the prescribed oath of office.

For Principal Clerk of the Senate, Senator Clement places in nomination LeRoy Martin of Yadkin County.

Senator Hinsdale seconds the nomination.

There being no further nominations, the roll of of the Senate is called.

Those voting for Mr. Martin are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick,—49.



Mr. Martin, having received the unanimous vote of the Senators present, is declared duly elected Principal Clerk of the Senate and he takes the prescribed oath of office.

For Reading Clerk of the Senate, Senator Rankin places in nomination B. Fritz Smith.

Senator Sparger seconds the nomination.

There being no further nominations, the roll of the Senate is called.

Those voting for Mr. Smith are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efrd, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick,—49.

Mr. Smith, having received the unanimous vote of the Senators present, is declared duly elected and he takes the prescribed oath of office.

For Sergeant-at-arms of the Senate, Senator Francis places in nomination John D. Norton of Jackson County.

Senator McNeill of Cumberland seconds the nomination.

There being no further nominations, the roll of the Senate is called.

Those voting for Mr. Norton are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efrd, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick,—49.

Mr. Norton, having received the unanimous vote of the Senators present, is declared duly elected and he takes the prescribed oath of office.

For Engrossing Clerk of the Senate, Senator MacLean places in nomination Rev. A. Corey of Martin County.

Upon motion of Senator Clement, seconded by Senator Moore, action upon the election of this officer is deferred until after the Rules Committee shall have met.

A message is ordered sent to the House of Representatives informing that Honorable Body that the Senate is organized and ready to proceed with the transaction of the public business.

#### APPOINTMENTS

The President announces the appointment of the following Committees:

*Committee on Rules:* Senators Clark, Chairman; Long, Griffin of Franklin, McDuffee, Walker, Gwyn, Burgin, Clement, Hanes, Land, Rankin.

*Committee on Inauguration:* Senators McNeill of Cumberland, Chairman; Hartsell.

Senator Long moves that the Rules of the 1931 Senate be adopted temporarily as the rules for this Body.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES, WEDNESDAY, January 4, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives is organized and is now ready to proceed with the public business, and for your information, advises that the following officers have been elected:

<i>Speaker</i> .....	R. L. Harris
<i>Principal Clerk</i> .....	Thad Eure
<i>Reading Clerk</i> .....	J. H. McKinnon
<i>Engrossing Clerk</i> .....	Miss Rosa Mund
<i>Sergeant-at-Arms</i> .....	Dr. C. M. Higgins

Respectfully,

THAD EURE, *Principal Clerk.*

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions:

H. R. 1, a joint resolution inviting the Honorable Franklin D. Roosevelt, President-elect, to address a joint session of the General Assembly.

Upon motion of Senator Griffin of Franklin, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings, and is ordered enrolled.

H. R. 3, a joint resolution informing His Excellency, the Governor, that the General Assembly is organized and ready to proceed with public business.

Upon motion of Senator Grady, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings, and is ordered enrolled.

## MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor O. Max Gardner:

*Mr. President and Members of the Senate:*

I have the honor of transmitting a copy of a Joint Resolution of Congress proposing an amendment to the Constitution of the United States fixing the commencement of the term of President, Vice President and Members of Congress and fixing the time of the assembling of Congress.

For many years the long delays in needed legislation and prompt administration have caused thoughtful statesmen to urge a change in the fundamental law so that less time would intervene between the election of and the inauguration of a new President and a new Congress. Several times one branch of Congress has voted to submit such an amendment to the states, only to have the reform stayed in the other branch. The Senate



of the United States in recent years has voted several times for submission of an amendment to shorten the interval between election and the taking of office. Upon the organization of the 72nd Congress, the Norris amendment, coming over from the Senate, received the approval of the House. Now, as soon as three-fourths of the states vote approval of the pending amendment to the Constitution, a new chief executive of the United States will be inaugurated on January 20th after his election in November, and the new Congress chosen in November will begin to function on the 3rd of January, the amendment upon which the Legislatures are to pass containing this provision:

"The terms of the President and Vice President shall end at noon on the 20th day of January and the terms of Senators and Representatives at noon on the 3rd of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin."

When thirty-six states vote "aye" the interval of marking time for four months will no longer impede prompt obedience to the recorded mandates of the people.

The present critical situation emphasizes the arguments heretofore presented for advancing the time of inauguration of the President and the organization of Congress. In a period when from ocean to ocean the people are insistent that the pledges made in the presidential campaign by the successful party be immediately redeemed, a stalemate stands between their expectation and the realization of their desires. An outgoing Congress does not feel itself bound to follow the decrees of an election in which many of them were retired. The outgoing President, not in sympathy with important items of the program of the President-elect, feels no compulsion to change the policies or the convictions which have controlled his action during his term of office. It has, therefore, often happened, that between November and March there is an impasse. In ordinary times this is to be deplored, but in crucial days like these in which we are now living it is serious. Delay halts action, and failure of quick action tends to destroy hope and faith and united effort. The sooner the change is made the sooner will government function without lost motion.

This amendment now submitted to the General Assembly of North Carolina has already been ratified by the General Assemblies of the fifteen states which have been in session since the action of Congress. Nowhere has any real opposition been voiced to what is regarded as an over-due reform. I earnestly trust that this General Assembly will give immediate consideration to the matter and voice what seems to be the unanimous sentiment of North Carolinians by the ratification of the amendment.

Respectfully submitted,

O. MAX GARDNER, *Governor.*



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions:

H. R. 4, a joint resolution ratifying a proposed amendment to the Constitution of the United States of America fixing commencement of the terms of the President and Vice President, and Members of Congress.

Upon motion of Senator MacLean, the rules are suspended and the resolution is placed upon its immediate readings.

The resolution passes its second reading, ayes 49, noes none, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick,—49.

The resolution passes its third reading, ayes 49, noes none, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick,—49.

The resolution is ordered enrolled.

H. R. 5, a joint resolution relative to the inauguration of Governor-elect and other state officers.

Upon motion of Senator Hartsell, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings, and is ordered enrolled.

## MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor O. Max Gardner:

*To the Honorable Senate of North Carolina:*

I have the honor to submit herewith for your confirmation the following appointments made by me since the adjournment of the 1931 General Assembly:

<i>Names</i>	<i>Address</i>	<i>Appointed</i>	<i>Expiration</i>
STATE HOME AND INDUSTRIAL SCHOOL FOR GIRLS:			
George Maurice.....	Pinehurst.....	December 19, 1931.....	April 9, 1933
To succeed Leonard Tufts, resigned.			
STATE HIGHWAY COMMISSION			
Leland Kitchin.....	Scotland Neck.....	December 12, 1931.....	May 4, 1935
To succeed N. L. Stedman, resigned.			

<i>Names</i>	<i>Address</i>	<i>Appointed</i>	<i>Expiration</i>
STATE'S PRISON			
W. H. Joyner.....	Garysburg.....	July 14, 1931.....	May 4, 1933
To succeed Ben B. Everett Resigned.			
Dr. Foy Roberson.....	Durham.....	December 21, 1932.....	May 4, 1935
To succeed J. W. Bunn, resigned.			
DEPARTMENT OF CONSERVATION AND DEVELOPMENT			
D. L. Ward, Jr.....	New Bern.....	July 5, 1932.....	April 1, 1933
To succeed Fred I. Sutton, resigned			
Lee B. Weathers.....	Shelby.....	July 5, 1932.....	April 1, 1933
To succeed R. Grady Rankin, resigned			
EAST CAROLINA TEACHERS COLLEGE			
A. B. Andrews.....	Raleigh.....	June 10, 1931.....	June 30, 1935
Reappointed			
N. E. Day.....	Jacksonville.....	June 10, 1931.....	June 30, 1935
To succeed Jas. L. Griffin, deceased			
J. K. Warren.....	Trenton.....	June 10, 1931.....	June 30, 1935
Reappointed			
WESTERN CAROLINA TEACHERS' COLLEGE			
Scroop W. Enloe.....	Dillsboro.....	September 5, 1931.....	April 1, 1933
To succeed T. H. Shipman, resigned			
STATE HOSPITAL—MORGANTON			
O. M. Mull.....	Shelby.....	June 16, 1931.....	April 1, 1933
To succeed Dr. J. T. Burrus, resigned			
John Eubanks.....	Hendersonville.....	Dec. 18, 1931.....	Sept. 23, 1933
To succeed C. E. Brooks, resigned			
STATE HOSPITAL—GOLDSBORO			
Mrs. Vernon A. Ward.....	Robersonville.....	March 31, 1932.....	April 1, 1933
To succeed Mrs. E. F. Corbell, deceased			
EAST CAROLINA INDUSTRIAL SCHOOL FOR WHITE BOYS			
Ernest Deans.....	Wilson.....	December 9, 1931.....	June 6, 1935
Reappointed			
Mrs. R. S. McCoin.....	Henderson.....	December 9, 1931.....	June 6, 1935
Reappointed			
J. L. Thorne, Jr.....	Rocky Mount.....	December 9, 1931.....	June 6, 1935
To succeed R. L. Huffines, deceased			
NORTH CAROLINA SCHOOL FOR BLIND AND DEAF—RALEIGH			
Rev. W. L. Hutchins.....	Thomasville.....	Sept. 2, 1932.....	Sept. 24, 1933
To succeed Rev. M. L. Kesler, deceased.			
W. G. Enloe.....	Raleigh.....	December 30, 1932.....	April 1, 1933
To succeed W. N. Keener, deceased.			



<i>Names</i>	<i>Address</i>	<i>Appointed</i>	<i>Expiration</i>
NORTH CAROLINA SCHOOL FOR THE DEAF—MORGANTON			
W. M. Shuford.....	Lexington.....	July 30, 1931.....	September 25, 1933
To succeed Dr. Jenniss Morrill, resigned			

## STATE BANKING DEPARTMENT

A. W. MacLean.....	Lumberton.....	March 9, 1932.....	April 1, 1933
To succeed Jno. F. Bruton, resigned			

## NORTH CAROLINA COLLEGE FOR NEGROES—DURHAM

R. E. Price.....	Rutherfordton.....	August 1, 1931.....	May 1, 1933
To succeed J. A. Long, declined			

## FAYETTEVILLE COLORED NORMAL

W. H. Powell.....	Fayetteville.....	July 11, 1931.....	October 29, 1933
To succeed H. W. Lilly, resigned			

Respectfully submitted,

O. MAX GARDNER, *Governor*.

January 4, 1933.

Upon motion of Senator McNeill of Cumberland, the Senate goes into executive session.

## EXECUTIVE SESSION

Upon motion of Senator Moore, seconded by Senator Clement, the appointments as submitted in the Governor's message are approved and confirmed for the position stated and for the time specified.

Upon motion of Senator Clement, the Executive Session is dissolved and the Senate proceeds with the transaction of its regular business.

Upon motion of Senator Rankin, the Senate adjourned to meet tomorrow morning at ten-thirty o'clock.

## SECOND DAY

## SENATE CHAMBER,

THURSDAY, January 5, 1933.

The Senate meets pursuant to adjournment, and is called to order by President *pro tempore* Senator Clark.

Prayer is offered by Rev. F. C. Feezor, pastor of Tabernacle Baptist Church.

Upon motion of Senator Clement, the reading of the Journal is dispensed with and the same stands approved.

Upon motion of Senator Rankin, the courtesies of the floor are extended to Congressman A. L. Bulwinkle.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:



H. B. 6, a bill to reduce the compensation of all State officers elected at the election of November 8, 1932, fifteen per cent of present salaries.

Upon motion of Senator Ingram, seconded by Senator Moore, the rules are suspended and the bill is placed on its immediate readings.

Senator Long calls for the ayes and noes.

The call is sustained.

The bill passes its second reading, ayes 45, noes 4, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Clark, Clement, Corey, Cross, Dempsey, Efrid, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick,—45.

Those voting in the negative are: Senators Burgin, Dunagan, Hanes, Hartsell,—4.

The bill passes third reading and is ordered enrolled.

H. R. 12, a joint resolution providing for joint session of the House of Representatives and the Senate of the State of North Carolina for the purpose of the inauguration of the Governor of North Carolina and other State officers.

Upon motion of Senator Moore, the rules are suspended and the resolution is placed on its immediate passage.

Passes its second and third readings and is ordered enrolled.

Senator Rankin moves that the Senate recess for the purpose of meeting in Joint Session with the House of Representatives in the city auditorium at the hour of 11:45 a. m., and upon dissolution of the Joint Session the Senate meet in its chamber at 3:30 o'clock p.m.

The motion prevails.

A message is sent to the House of Representatives, informing that body of the above action.

#### JOINT SESSION

The Senate assembles in the city auditorium where the joint session of the Senate and House of Representatives is called to order by the President *pro tempore* of the Senate, Senator W. G. Clark, who announces the purpose of the Joint Session as being for the installation of the newly elected State officers.

The following State officers-elect are presented by Senator McNeill of Cumberland, Chairman of the Inaugural Committee, and the oath of office is administered to them by Associate Justice W. J. Brogden:

Dan C. Boney, Commissioner of Insurance.

Stanley Winborne, Member Corporation Commission.

The oath of office is administered to the following State officers by Associate Justice G. W. Connor:

A. L. Fletcher, Commissioner of Labor and Printing.

W. A. Graham, Commissioner of Agriculture.

The oath of office is administered to the following State officers by Associate Justice Heriot Clarkson:

Dennis G. Brummitt, Attorney General.

Baxter Durham, State Auditor.

The oath of office is administered to the following State officers by Associate Justice W. J. Adams:

Charles M. Johnson, State Treasurer.

Stacey Wade, Secretary of State.

A. H. Graham, Lieutenant Governor.

Senator McNeill of Cumberland, the Chairman of the Inaugural Committee, announces that A. T. Allen, elected to the office of Superintendent of Public Instruction is unable to be present due to illness.

Senator McNeill of Cumberland, then presents Governor O. Max Gardner, who in turn presents Governor-elect John C. B. Ehringhaus, and the oath of office is administered to him by Chief Justice W. P. Stacy of the Supreme Court.

Governor John C. B. Ehringhaus delivers his inaugural address, which is as follows:

"Reverently and in the full consciousness of the moment's responsibilities I take up the duties of this great office. To me it has always symbolized the ultimate in political achievement, but I find that the realization of a life's ambition brings only an overwhelming sense of responsibility and inadequacy: for confronting us at this hour are problems of such magnitude as the State has not faced since Reconstruction days; problems which challenge, in each of us who are charged with their solution, the ultimate of our capacities of head and heart and hand, and give us timorous pause lest in spite of conscientious effort we go finally amiss.

#### *North Carolina at the Cross-Roads*

For whether we are willing to admit it or not, the State which we love has reached the cross-roads of its financial destiny, and upon our present choice of highways depends its economic salvation and stability. In the years when prosperity blessed us and the pursuit of exalted ideals in governmental activities as well as a various and ever increasing demand for governmental services beckoned us constantly to an increased and ever increasing spending, we launched upon a program and practice which, however great its social and economic dividends, lays upon us, in these difficult days, a burden and yoke that galls and grinds and terrifies us. There is neither disposition nor desire to quarrel at the past—to fix responsibility or apportion blame for the burdens of the present. The urge was universal, the call well-nigh unanimous. The condemnation, if such there be, must be shared by all, and the speculation as to culprits is foolish and futile. There is, too, much of consolation in the recollection that the investments which consumed this spending may be reckoned yet as economic and social assets. North Carolina can stand before her sister states unashamed of the part she has played in the delirious drama of development marking the past decade.

As late as June, 1928, our financial condition was not serious or the cause of reasonable apprehension. Our revenues were steady and in excess



of estimates; our farms and factories productive and profitable. We were meeting with ease and promptness our bond maturities both in State and local subdivisions, and all seemed rosy as a summer's dream.

But the waves of a great national adversity have now overtaken us and the time has come for reckoning, self-appraisal, inventory of our condition, and the setting of our house in financial order.

Estimates prepared by State officials covering our situation as of July 1, 1933, on the basis of present expenditures and levies, indicate a predicted total operating deficit of \$12,500,000. The figures here presented are compiled on a cash as distinguished from an accrual basis.

Recall the fact that we are committed to the elimination of the State-wide 15-cent levy for the six months school term (which involves a relinquishment of approximately four million dollars each year of revenue), and the problem of a balanced budget assumes real proportions—particularly in view of our platform pledge of “every reasonable effort for the avoidance of additional taxes.”

Consider, too, that we have come to this position where we are burdened with a presently accumulated deficit of approximately \$9,430,000, in large part through efforts to keep up, as far as possible, the present level of spending for certain purposes, our reluctance to make further cuts, our desire to maintain these services on a cash basis, and that this borrowing (short time) has itself added to our annual burden an additional load in interest charges of many hundred thousands. Recall that, but for the exercise by Governor Gardner of his powers as Director of the Budget, and the cutting of appropriations thereunder, we would today (on the basis of the last legislative appropriations) have an additional deficit of \$8,850,000, or a grand total of \$17,850,000.

When we recall the courageous action of Governor Gardner and his uncanny divination of financial “breakers ahead,” when the President himself was heralding a new and enlarged era of prosperity; when we recall that by this action legislative appropriations were reduced the first year \$1,450,000, then \$2,100,000, then \$2,600,000, and this year about \$2,700,000; when we remember that but for this action the presently accumulated deficit would be greater by many millions and our State no doubt on a scrip basis and in financial chaos; when we recall his achievement in reducing general governmental expenses from \$8,658,000 to \$6,164,000, a decrease of 29 per cent; when we remember the setting up by the Legislature of agencies which have resulted in damming the tide of municipal debt increase and promoting a substantial reduction thereof (amounting in principal and interest last year to over twenty million dollars), the relief offered to property owners aggregating \$25,000,000 in the last two years, the reduction of the total tax bill in the State from \$102,000,000 in 1929-30 to \$89,000,000 in 1931-32, and to probably \$86,000,000 in 1932-33, and the maintenance of governmental services in reasonable efficiency through these days of stress and strain, we may well be proud of our State and its leadership—Executive and Legislative—through the past quadrennium.

Not for purposes of invidious comparison, but solely to get the proper setting for our picture, let us look for a moment at the present situation in the Nation and in our neighbor states.

The National governmental expenses have increased in the last quadrennium to an alarming extent and its general fund deficit is accumulating at a daily rate that staggers the imagination. In our neighboring states financial difficulties are quite the order of the day, and in some of them already a condition of practical insolvency exists—the governments are almost incapable of functioning—payrolls met with scrip or simply passed by, institutions dying for want of cash, and the people hopeless in the face of ever increasing difficulties.

In relief of local subdivisions of school and highway burden North Carolina takes first rank. The plenitude of her provision for these cases cannot be matched by a single Southern commonwealth. In deed it will bear comparison with any state of similar resources and with most of her richer sisters.

But the sad truth confronts us that our revenues in practically every source are shrinking in serious if not alarming proportions. For proof of this I need only refer to this week's official bulletin of our Revenue Department.

Our commitments for debt service and sinking fund for highway bonds for next year total roughly nine and one-half millions. Our estimated revenue for highways on basis of present levies and undiminished yield is \$18,000,000. But at least one competent authority suggests that since this source has only recently begun to reflect the depression, we may look for even greater recessions, and puts his estimate as low as \$14,000,000, which prediction, if it should eventuate, would leave an uncomfortably narrow margin for maintenance and none for construction.

And last of all, ladies and gentlemen of the Assembly, the simple truth is that unquestionably and undeniably we have reached the end of our capacity to borrow. It profits us nothing to quarrel at those who hold the purse-strings and drive hard bargains in interest charges because of our predicament. The temples of the great money changers are far distant, and even the sovereignty of the State cannot reach them. To them in financial plight it must go a suppliant. The dollars we seek to borrow are theirs; they may lend or refuse as they choose, and we have found through sad experience that, in the case of states as well as individuals, a budget out of balance is an impossible basis of borrowing.

Ladies and gentlemen of the Assembly, the most important and imperative duty that rests upon you greets you at the threshold of your labors—The Budget Must Be Balanced Immediately! And when I say balanced I mean balanced on the basis of substantial certainty—beyond cavil, doubt, or disputation. Unless this is accomplished quickly chaos, confusion, contumely, defaults, scrip payments, and destruction of our institutions are immediately ahead. It is an ugly picture. I paint it with reluctance, but in such an hour the plain, unvarnished truth is best. North Carolina knows how "to take it on the chin and take it standing up."



*The Way Out*

Remember now that on the basis of present appropriation commitments (not amounts requested, which are greatly in excess of this) and present tax levies, we start this good year 1933 with a deficit of \$9,430,000 accumulated in our general fund, with additional obligations to special funds approximating \$3,000,000; that in addition to this we have a net funded debt of \$147,740,877; that by the end of this fiscal year, that is, June 30, 1933, our deficit would probably reach \$12,500,000; that we must on this basis find additional revenues to absorb this deficit and also to absorb the accumulating deficit we face as well as the interest charges on it and the \$3,850,000 loss of State revenue by relinquishment of the yield from the 15-cent property tax levy; must absorb as well any additional shrinkage in revenue below present levels if further shrinkage occurs, as seems most likely, and you begin to get at the problem before you. What is the answer?

When income and outgo are out of balance states as well as individuals are compelled to do one of three things: (a) cut expenses, (b) increase revenues, or (c) work out a combination of both. To undertake the imposition at this time of additional tax levies sufficient to carry on our necessary governmental functions and to absorb as well in the next biennium our accumulated deficit would be, in the present burdened condition of our people and their activities, a cruelty as well as a practical impossibility. Some method of short-term or serial financing of this deficit must be found on a basis of interest charges that are not unduly burdensome. I speak within the bounds of accurate information when I say that even this is improbable except upon the basis of drastically reduced spending levels and a manifestly balanced budget. Our only hope of accomplishing such financing is predicated upon this.

Appropriations mean nothing unless they may be interpreted in terms of cash certainly available and may be relied upon as a sound basis of commitment, and we are warned by our situation that further borrowings on the present basis are impossible—that lavish commitments involve not merely the certainty of cuts for want of revenue, but the probability of payment in scrip. The way out is plain but pleasureless; it involves the eating, for a season at least, of the “herbs and dry bread” of a hard self-denial. It challenges our ingenuity for working out plans which will enable us to carry on in efficiency and the preservation of ideals, but on a greatly reduced spending basis. Nay, more than that, it challenges our patriotism. I for one have faith in North Carolina and in the men and women who are the flesh and blood and spirit of the Commonwealth. To say that it cannot be done is to confess failure in advance and invite disaster. Nor would I accept responsibility for what in my judgment is certain to happen if this Assembly should do the unthinkable thing of failing to balance this budget, and of making commitments beyond reasonable expectations and leaving upon the Executive the burden of financing them or cutting them through budgetary control.

Having in mind this situation and the commitments of both parties in the last election, I submit these recommendations for your consideration and approval.

*(1) Revaluation of Property*

Honesty and fair dealing as well as platform pledges demand that steps be taken at once to resume our time-tried policy of quadrennial assessments. We must have at once a revaluation of property by the usual methods or their equivalent. I mean by this that provision should be made upon the basis of the most economical methods and the greatest possible simplification and at considerable less expense than heretofore. I am quite sure that such methods can be worked out by you. I concede that this means—in the absence of the effectuation of large economies in local governments—an increased local tax rate to produce the amount required for maintenance of the subdivisions. This fact in itself should prove a powerful force to bring and hold down local spending to reasonable limits—"a consummation devoutly to be wished." Revaluation also involves the danger of the too near approach to constitutional debt limitation by State and subdivisions.

In spite of all of this, I am convinced that such a step is necessary that we may know exactly where we stand, and that property—particularly real property—may have restored to it an honest value as the basis of its tax contribution.

Whether this valuation should stand for the full four years or—in order to restore the old order exactly—for the next biennium only (during which time we indulge the hope for better days), is a question for your wisdom and considered judgment. I am committed to the idea of an immediate revaluation and recommend it. The rest is left to you.

*(2) Relief of Present Property Levy*

I urge upon you also the immediate relief of property from the 15-cent State-wide levy for support of the six months school term. This is recommended not only as a contribution to the cause of more equitable distribution of the tax load, but also upon the sound theory that the State embarked some time ago upon the policy of segregation; that it has recognized, in the passage of the McLean Law, a constitutional interpretation which imposes the burden of support of the standard term upon the State, and thus has accepted the suggestion that such is an obligation of the State. It must follow, therefore, that this obligation shall be discharged out of revenues segregated or set aside to the State, rather than out of revenues from land or property, which are segregated to local purposes.

To those who would find in present difficulties or necessities an excuse for ignoring these equities as well as the platform pledges of both parties, I would say that such a course involving both personal and party perfidy, is impossible. And to the suggestion that the relief of his properties means but little to the individual, though much in aggregate to the State, I would reply that whether much or little, it is an equity due the landowner; it has been promised him, and woe betide the man or group that now denies him.

*(3) Substantial Economy*

A substantial, even drastic curtailment in our spending is imperative. Proud as we are of our social progress, we must remember that not even



social progress can, for any great time, go ahead faster than material progress. There are many things we would like to do and do quickly, but it is an economic truth that all such undertakings "must have a direct relation to the ability of the State to pay for what it wants." I do not mean by this that we should embark upon a policy of parsimoniousness. Our party pledges, our personal preference, and our ideals and traditions of governmental activities all commit us to the maintenance of our schools, our institutions of higher learning, and our charitable and correctional institutions upon levels of efficiency and high public service. Though these, together with our highway system (which up to this point is self-supporting and about which I shall speak separately), absorb a high percentage of our total revenues, they must be financed in economical efficiency.

As I said on another occasion: "There is a sort of saving which wastes—which crucifies the ideal upon the altar of penuriousness—which in dreadful fear of poverty and privation sees only the costs in dollars of things purchased and senses not values which cannot be reckoned in monetary terms, though adding greatly to the public wealth and welfare. In protecting ourselves against thriftless spending we should be careful not to indulge in impulse towards miserliness or sacrifice those things which are necessary for the preservation of our ideals in government." But the burdens which rest upon our people, which bend the backs of our farmers and laborers, which have consumed the scant earnings of our clerical and professional men, which have devoured the incomes of our rich and powerful, and which have dried up the life blood of the State's support, are such that the levels of our spending must be reduced as the first step on the road to recovery and preservation of our credit and State solvency. Economy with us is not a mere political preachment; it is a way of life. I may mistakenly interpret the sentiment of our people about many things, but on this point I am quite certain. The cost of government—all government—must come down, and that substantially. Make no mistake about that. The demand of the people on this point is imperative and will not brook denial or equivocation.

Every individual taxpayer, every wage earner, every tiller of the soil, every professional man, every merchant, every clerical helper, every charity, every industry, every church, every institution, has seen its income go down, down, down. Some have shrunk "twenty, some fifty, and some an hundredfold." And with the shrinking process has come the necessity to "trim sails"—to cut down expenses. Individuals and corporations are doing it. Government must do the same.

To the suggestion that recession in expenditures means defeat of ideals I venture to reply, that there is no more certain way to insure their defeat than to pursue a path which leads certainly to scrip payments, financial chaos, and repudiation. The heritage of a restricted but honorable opportunity is far more priceless than one which, though enlarged, comes of profligate provision and is pointed towards dishonorable disaster.

For the efficient and economical maintenance of our essential services (and I include in these our schools, charities, and institutions of higher learning) we must bear the burden which such cost imposes. But before we add fresh levies, which do but add to the burdens of the great struggling



mass of our people upon whom they ultimately and inevitably fall, it is imperative that we follow a vigorous and unrelenting pruning process. The cruelty of any other course would damn the efforts of all who benefited by it.

(4) *Reduction in Operating Cost*

The first field for saving is the one nearest at hand—the general governmental set-up, salaries and perquisites. I neither possess nor desire any power or control over the constitutional officers of the State. Save for budgetary control, they are supreme in their respective departments. And may I not at this point interject the observation that I have every confidence in my associates who have been set over these departments by the same sort of popular mandate as put responsibility upon me. I look to them, and I feel confident that I shall receive from each and all of them the utmost of coöperation in the work which is ahead. If there are to be inter-departmental wars they shall not be of my making. In the particular field of economy as in other activities the State expects and no doubt will receive from each of them a full measure of contribution. In the field controlled by executive and legislative appointment I submit the following recommendations:

(a) That the law of 1929 providing an entertainment fund for the Chief Executive be repealed. I have already suggested this to the Budget Commission. It merely evidences my desire to absorb my own share in the burden bearing.

(b) I suggest that the position of Executive Counsel be abolished and the Governor given authority to appoint a Pardon Commissioner at a salary to be fixed by the Legislature and with such stenographic assistance as may be necessary.

(c) The Bureau of Personnel has done valiant service in standardizing our salaries. The work of classification, however, has now been practically completed and the service may, therefore, be very well handled through consolidation of services and by a clerk in the Executive Department.

(d) The Local Government Commission can very well be transferred to the Treasury Department and operated thereunder at a saving of considerable cost, and what is quite as important, be thereby continued under the supervision of the capable officer who has developed its present efficiency and fine spirit of coöperative service.

(e) This General Assembly should give serious thought to the possibility of consolidating our Highway and Prison departments. Certainly there should be a consolidation of all motor vehicle collections under one department. Present practices work for competition in collection, with loss of revenue to the State.

(f) The whole field of governmental set-up should be carefully canvassed by this General Assembly to the end that duplications of effort may be avoided and eliminations and consolidations effected wherever practicable. I believe that the Legislature would make substantial contribution to the cause of economy if it should classify governmental activities into essential and non-essential classes, allowing to the Executive the power, under budgetary control, to discontinue in emergencies those classified as

non-essential, or cut down their appropriations before going into the field of essentials. I am convinced that a considerable saving can be worked out through reorganization along these lines. What is equally important is that under such an arrangement a preference could be given to essential services under budgetary control.

(5) *No New Commitments*

It goes without saying that the State is already laboring under a burden which only the most heroic efforts can meet. It would be unwise under such circumstances for the State to assume any new commitments involving additional financial burden. I urge that the General Assembly refrain from the taking over of any additional obligations. However meritorious such projects may seem, their acceptance by the State at this time is beyond its reasonable capacities.

(6) *Highways*

The State Highway System in North Carolina is a matter of great pride to its citizenship. It has involved a vast expenditure of money, approximating two hundred millions. Today the State also is maintaining all former county highways. Provision for the discharge of our highway obligations and the maintenance of our highways is made by the imposition of gasoline and motor vehicle taxes. There is a moral, if not a legal, obligation resting upon the State to reserve these funds for highway use, certainly to the extent of discharging all maturing obligations and the provision of sinking fund reserves, and also to the extent of adequate maintenance of the system which has been provided by this great expenditure. In my judgment it would not only be unwise but a breach of faith with those who have purchased our bonds to turn these revenues now into the general fund. It is not difficult to picture consequences of far-reaching importance if such a course should be followed.

I am quite in sympathy with the suggestion that for the next biennium all new construction should be abandoned. But the idea that here is a limitless source of revenue waiting to be tapped for other purposes is manifestly erroneous. Before we begin to distribute the surplus of highway resources it would be best to assure ourselves as to whether there is to be any surplus. And for reasons already pointed out, it is extremely doubtful whether there will be any considerable surplus over the necessary requirements for debt service and adequate maintenance. A failure to maintain properly the system which has cost so much money might bring about a serious deterioration, or even the destruction of this great asset to our State, and this, of course, would mean loss of the entire revenue or a substantial part of the revenue now derived from it. There is a human element involved in this also, which is quite frequently overlooked. I am told that the school busses of North Carolina cover daily, with their load of precious freight, a hundred thousand miles. Surely here is additional reason for adequate maintenance.



*(7) Education*

The public schools of North Carolina are a matter of first concern. I regard our constitutional obligation along this line not only as mandatory, but as imposing upon us a primary and essential service. All possible economies should be effected before anything is done which would cripple our schools. Non-essential services should suffer or vanish before necessary economy hurts here. I am convinced, however, from personal observation and study, that even in this field there is great chance for saving. There are many things in the curricula of our schools which can presently be eliminated without serious impairment of the educational opportunity. There are consolidations still possible that would involve great reduction in expense. And the endless process of splitting up and specializing supervision does not always work for the weal of an enterprise. Reduction in salaries, if necessary, should be graduated, so as to fall least heavily upon the rank and file and most heavily upon overhead and supervision.

Please understand me. I am not speaking dogmatically here. Expert opinion should be consulted and considered. I have this much of settled opinion on this subject, however: first, a real effort, in full recognition of our necessities and the precarious condition of our finances, will be productive of fruitful suggestions, and I believe that we can count upon the patriotism of the teaching profession to come forward with these once they recognize the realities of our difficult position; second, the suggestion frequently made that we rank fortieth or forty-first in schools is either founded upon false standards or there is something radically wrong with our spending. No state which makes direct contribution to the cause of education in excess of the value of its principal crops can be accused of a niggardly policy, or of a lack of sympathy for the cause. With respect to our schools as with respect to our institutions of higher learning, the fullest measure of provision, consistent with our ability to raise revenue without oppression, should be given; but I cannot subscribe to the doctrine that the measure of a man's respect for ideals depends upon his willingness or unwillingness to preserve at all costs any particular salary standard.

*(8) Local Government*

In giving thought to possible reductions of governmental costs we must not overlook the field of local government. Experience has shown that its cost has arisen more rapidly than that of the State, and that even the taking over by the State of particular functions has not always resulted in local savings. I do not charge this entirely to local error; I think all too frequently the State has neglected a great opportunity to serve. It is my thought that we should begin at once a real effort towards a sympathetic and coöperative supervision of local governments. Accordingly, I propose that the Legislature should enact at once statutes designed to accomplish the following:

(a) Full opportunity for voluntary consolidation of counties through popular approval in every county affected.

(b) Similar opportunity for consolidation between counties and cities or towns.



(c) Provision for the consolidation of particular functions so that one officer may perform the same duty for both city and county, at a saving to both.

(d) The right of municipal boards or boards of county commissioners to consolidate or eliminate statutory offices, and thus effect savings in operation.

(e) A general statute eliminating any mandatory requirement of any particular office in county, city, or town.

(f) A general statute providing that all municipal salaries fixed by the General Assembly should be interpreted as establishing a maximum only, so as to facilitate local reductions when desirable or necessary.

(g) A provision for a supervision of expenditures and tax levies by governmental subdivisions through the Local Government Commission, and along the lines of present supervision of debt creations. The principle of publicity after departmental checking of increased tax levies could be utilized to hold down extravagant tendencies.

(h) A comprehensive plan of sympathetic assistance by the Commission in working out something of relief through extension of debt maturities. There is grave danger of an increase of municipal defaults, and these have unfortunate reflections in our State situation.

(i) A simplification and reduction of the cost of tax foreclosure. Present practices are nothing short of oppressive.

(j) Real consideration of possible plans of foreclosure postponement of back taxes should be given to the end that, if practicable, a reasonable scheme of sale postponement, without loss of lien, may be formulated. I have no reference to this year's taxes. We are trying to start a new deal.

There is here no thought of invading the province of local self-government, but only to provide a supervisory restraint upon extravagant tendencies. A similar proposal has been made by Governor Roosevelt of New York. It must be remembered, too, that these subdivisions are the creatures of the Legislature, and that in providing supervision the Legislature is but safeguarding the power which it has itself granted.

#### *Discontinuance of Unrestrained Fee Expenditures*

As a relic of the past we have still in certain departments the practice of expenditure of fees without budget control. I favor the discontinuance of this and the requirement that all fees collected be turned into the General Fund and all expenditures of each department be upon a budget basis.

#### *Agricultural Improvement*

It is perhaps unnecessary for me to say here anything with reference to the need of agriculture for every possible consideration. There is little in the way of legislation which can be done to improve the situation. But I do wish this General Assembly and the people of North Carolina to know that I am genuinely interested in and firmly determined to do whatever possible to help this situation. The "live at home" campaign of the past four years has meant much more than was anticipated, and has helped immeasurably to soften the blow of our present economic crisis. It is my desire to lend every possible encouragement to a continuation of this activity. I am convinced,

however, that the natural follow-up to this campaign is a campaign for more livestock, dairying, and poultry in North Carolina. The need for developing activities along this line is manifest when we consider that according to the census of 1920 North Carolina, with unexcelled possibilities, was next to the lowest state in the Union in livestock production.

And though we have made some progress in this respect, we are still far down the list of states in rank. It has been pointed out that the Northern agricultural states have a great advantage in per capita income over the Southern agricultural states, and this advantage is largely because of superior development of the livestock industry. I shall welcome the chance to assist in an effort to bring about a substantial improvement in this situation in the next years, and I urge upon the membership of this Assembly the utilization of every opportunity to assist in this movement.

#### *Commendation for General Assembly*

May I not commend this General Assembly for having, even in the brief period of its service, manifested a fixed determination to hold down expenses and expenditures? Under the splendid leadership of your presiding officers you will no doubt continue your efforts for real, constructive service to the State. Let me assure you that at no time will you be able to discover in me the slightest desire to usurp any legislative function or to encroach upon your prerogatives, but only an earnest wish to coöperate with you in the solution of our common problem. When all is said and done, the responsibility of matching tax provision with tax expenditure is yours, and I am quite confident that you will make expeditious progress towards the accomplishment of this balance. I am quite certain that nothing could happen in North Carolina which would give more heart to its struggling people and more strength to its credit than the expedition by this body of its consideration of the revenue, machinery, and appropriation bills.

There are other matters about which I may wish later to give you my opinion, or I may reach the conclusion that some matters herein should be discussed more elaborately. I have endeavored in this to set forth general principles, and this message has also been prepared under the handicap of personal illness.

#### *An Appeal for Harmony*

One thing more and I am through. In times like these it is inevitable that there should come to us wild and baseless rumors of cynical and unfriendly alliances. To believe is to discount essential patriotism and to court disaster. To all such I have invariably turned a deaf and disbelieving ear. May I not say this much further with reference to such suggestions?

If there are minds bent upon the mischief of unthinking opposition and policies of negation for mere negation's sake, I do not know them. If there are hearts which cherish, in the face of the State's tremendous need and the challenge of this pregnant hour, the petty animosities of past political conflicts, I shall not permit myself to be embroiled or embarrassed by them. If there are lances raised and shafts aquiver to spend themselves in frustrating our efforts merely for the joy of frustration or the advancement of personal



or political prestige, I refuse to see them. The good God is my witness that I come to this moment with no sense of personal triumph or exaltation, that I am actuated only by the desire to serve my State well in its hour of need; to bind up party wounds, if wounds there be; to build in the land we love an enduring harmony, to take the good and great in every suggestion from whatever quarter it emanates, to bend in gentleness the combined and ultimate patriotism of the entire citizenship to the service and salvation of the Commonwealth. Ladies and gentlemen of the Assembly, there is war,—economic war—ahead; yea, it is even now upon us. There confronts us at this hour a peril as deadly, a conflict as momentous, as any which, in stirring days past, has summoned Carolina's sons to arms. In such an hour he who prates of petty quarrels wastes precious time in nothingness; he who puts personal advantage ahead of the State's good serves the cause of the enemy and brands himself traitor to his sovereign mother. I welcome the chance to work with you in high and unselfish endeavor. With hearts aflame and minds alert, let us go forward. We do battle for a holy cause. We shall triumph over our adversities only as and because under God we shall deserve to triumph. There is inspiration in the knowledge that we do battle for North Carolina."

The business for which the Joint Session convened, having been accomplished, upon motion of Senator McNeill of Cumberland, the Joint Session dissolved.

The Senate meets pursuant to recess, in its chamber, is called to order by Lieutenant-Governor A. H. Graham and proceeds with the transaction of the business now before the Body.

#### ENROLLED BILLS

The Enrolling Department reports the following bills and resolutions properly enrolled and they are duly ratified and sent to the office of the Secretary of State.

H. R. 1, a joint resolution ratifying a proposed amendment to the constitution of the United States of America, fixing commencement of the terms of the President and Vice President and Members of Congress.

H. B. 6, An act to reduce the compensation of all State officers elected at the election, November 8, 1932, fifteen per cent of the present salaries.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Moore: S. R. 1, a joint resolution of the General Assembly of North Carolina, providing for a balanced budget and requiring the Committee on Finance and the Committee on Appropriations to make their report embodying the appropriations for the biennium 1933 to 1935 and the Committee on Finance to make its report upon a revenue and machinery act, sufficient to meet the expenses of the State for such biennium, both of such committees to report to the General Assembly by or before the sixth day of February, 1933.



Senator Moore moves that the resolution be placed on the Calendar, to be made Special Order No. 1 for tomorrow.

Motion prevails.

#### APPOINTMENTS

The President announces the appointment of the following Standing Committees:

*Committee on Agriculture*—Senators Blue, Chairman; Brown, McBryde, Hill, Aiken, Hairfield, McNeill of Ashe, Patton, McDuffee, Land, Bagley, Joyner, McNeill of Cumberland, Waynick, Clark.

*Committee on Caswell Training School*—Senators Corey, Chairman; Bailey, Joyner, Barker, Noell, Boggan, Hairfield, McNeill of Ashe, Patton.

*Committee on Claims*—Senators Cross, Chairman; Bagley, Joyner, Summersill, Beatty, Walker, Boggan, Sparger, McNeill of Ashe, Patton.

*Committee on Commercial Fisheries*—Senators Griffin of Chowan, Chairman; Bagley, Joyner, Griffin of Franklin, Summersill, Brown, Barker, Beatty, Noell, Blue, Hartsell; Sparger, Bell, Greene, Francis.

*Committee on Congressional Districts*—Senators Bailey, Chairman; Bagley, Dempsey, Bland, Griffin of Franklin, Gwyn, Walker, Fuller, Boggan, Hartsell, Aiken, Francis.

*Committee on Conservation and Development*—Senators Burgin, Chairman; Griffin of Chowan, Clark, Moore, Grady, McBryde, Hinsdale, Walker, Clement, Blackburn, Rankin, Dunagan, Hairfield.

*Committee on Consolidated Statutes*—Senators Barker, Chairman; Bailey, Corey, Summersill, Grady, McDuffee, Walker, Burgin, Sparger, Land.

*Committee on Corporation Commission*—Senators Moore, Chairman; Bailey, Clark, Corey, Bland, Waynick, Boggan, Efird, McNeill of Ashe.

*Committee on Courts and Judicial Districts*—Senators Aiken, Chairman; Long, Griffin of Franklin, McLean, Summersill, Beatty, Hinsdale, Gwyn, Land, Dunagan.

*Committee on Election Laws*—Senators Walker, Chairman; Griffin of Chowan, Joyner, Long, Moore, Brown, McNeill of Cumberland, Noell, Sparger, McNeill of Ashe, Greene.

*Committee on Engrossed Bills*—Senators Hartsell, Chairman; Joyner, Corey, Cross, Waynick, Blue, Boggan, Blackburn.

*Committee on Enrolled Bills*—Senators Efird, Chairman; Bailey, Griffin of Franklin, Barker, Aiken, Bell, Green.

*Committee on Federal Relations*—Senators Kirkpatrick, Chairman; McLean, Moore, Bland, McDuffee, Noell, Waynick, Blue, Clement, Hairfield.

*Committee on Game Laws*—Senators Fuller, Chairman; Bagley, Joyner, Griffin of Franklin, Summersill, Brown, Beatty, McBryde, Cross, Blue, Efird, Hanes, Bell, Ingram, Patton.

*Committee on Immigration*—Senators Bell, Chairman; Clark, Griffin of Franklin, Barker, Kirkpatrick, Patton.

*Committee on Labor and Commerce*—Senators Boggan, Chairman; Griffin of Chowan, Corey, Dempsey, McNeill of Cumberland, Cross, Waynick, Efird, Kirkpatrick, Rankin, Blackstock, Patton.

Upon motion of Senator Moore, the Senate adjourns to meet tomorrow morning at 11 o'clock.

## THIRD DAY

SENATE CHAMBER,

FRIDAY, January 6, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Harvey A. Cox, Raleigh, N. C.

Upon motion of Senator Clement, the reading of the Journal is dispensed with and the same stands approved.

The roll of the Senate is called and the following Senators answer to their names.

Senators Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick—47.

The courtesies of the floor are extended to ex-Senator Buren Jurney.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Griffin of Chowan, S. R. 2, a joint resolution to authorize and provide for the printing of the Governor's message to the General Assembly.

The rules are suspended, and the bill is placed upon its immediate readings.

Passes its second and third readings, and is ordered sent to the House of Representatives.

## ENROLLED BILLS

The Enrolling Department reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State.

H. R. 3, a Joint Resolution informing His Excellency, the Governor, that the General Assembly is organized and ready to proceed with public business.

H. R. 5, a Joint Resolution relative to the inauguration of Governor-elect and other State Officers.

H. R. 1, A Joint Resolution inviting the Honorable Franklin D. Roosevelt, President-elect to address a joint session of the General Assembly.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 9, a bill to amend section 7663 of the Consolidated Statutes, relating to the distribution of statutes.

Upon motion of Senator Waynick, the rules are suspended and the bill is placed on its immediate readings.



Passes its second and third readings and is ordered enrolled.

H. R. 10, a Joint Resolution relative to reducing the expenses of the State Government.

Referred to Committee on Finance.

#### SPECIAL ORDER

The hour for the Special Order having arrived, the chair lays before the Senate:

S. R. 1, a joint resolution providing for a balanced budget and requiring the Finance and Appropriations Committees to make a report embodying the appropriations for the biennium 1933 to 1935 and Committee on Finance to make its report upon a revenue and machinery act sufficient to meet the expenses of the State for such biennium, both of such committees to report to the General Assembly by or before the sixth of February, 1933.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

#### APPOINTMENTS

The President announces the appointment of the following standing Committees:

*Committee on Education*—Senators McLean, Chairman; Griffin of Chowan, Moore, Grady, Beatty, Noell, Efird, Kirkpatrick, Sparger, Bell, Francis, Blackburn, Clark, Land, Ingram, Greene, Corey, Blue.

*Committee on Insurance*—Senators Hanes, Chairman; McLean, Griffin of Franklin, Bland, Beatty, Fuller, Cross, McBryde, Waynick, Burgin, Hartsell, Blackburn.

*Committee on Penal Institutions*—Senators Joyner, Chairman; Clark, Griffin of Chowan, Ingram, Hanes, Dunagan, Hairfield, Long.

*Committee on Insane Asylums*—Senators Hairfield, Chairman; Bagley, Clark, Long, Bland, Brown, Hinsdale, Gwyn, Blue, Sparger, Francis.

*Committee on Institutions for the Deaf*—Senators Noell, Chairman; Dempsey, Barker, McBryde, Walker, Boggan, Kirkpatrick, Bell.

*Committee on Institutions for the Blind*—Senators Efird, Chairman; Griffin of Chowan, Corey, Summersill, Grady, McNeill of Cumberland, Burgin.

*Committee on Printing*—Senators Noell, Chairman; Joyner, Long, Brown, Beatty, McBryde, Hinsdale, Waynick, Hartsell.

*Committee on Distribution of Governor's Message*—Senators Bagley, Chairman; Clark, Dempsey, Ingram, Efird.

*Committee on Corporations*—Senators McNeill of Ashe, Chairman; Grady, Barker, Beatty, Hinsdale, Walker, Sparger, Blackstock.

*Committee on Banks and Currency*—Senators Hill, Chairman; Bailey, Moore, Barker, Ingram, McDuffee, Gwyn, Burgin, Hartsell, Hanes, Rankin, Bell, Blackstock, Green.

*Committee on Counties, Cities and Towns*—Senators Dunagan, Chairman; McDuffee, Ingram, Dempsey, Blackstock, Summersill, Joyner, Brown, McNeill of Cumberland, McBryde, Walker, Blue, Efird, Hanes, Bell, Long.



*Committee on Constitutional Amendments*—Senators Waynick, Chairman; Clark, Moore, Bland, Grady, McNeill of Cumberland, Fuller, Cross, Noell, Hill, Kirkpatrick, Clement, Hanes, Land, Dunagan, Blackstock, Greene, Aiken, McLean.

*Committee on Pensions and Soldiers' Home*—Senators Bland, Chairman; Joyner, Dempsey, Grady, McDuffee, Hill, Blue, Boggan.

*Committee on Journal*—Senators Patton, Chairman; Bailey, Clark, Dempsey, Brown, Ingram, Hill, Sparger, McNeill of Ashe.

*Committee on Manufacturing*—Senators McBryde, Chairman; Clark, Corey, Brown, Cross, Gwyn, Efird, Bell.

*Committee on Military Affairs*—Senators Dempsey, Chairman; Bagley, Bailey, Blackstock, Corey, Cross, Dunagan, Efird, Fuller, Francis, Griffin of Franklin, Griffin of Chowan, Gwyn, Hanes, Ingram, McDuffee, Waynick, Aiken.

*Committee on Justices of the Peace*—Senators McNeill of Cumberland, Chairman; Patton, McNeill of Ashe, Aiken, Boggan, Walker, Fuller, Brown, Joyner.

*Committee on Library*—Senators Beatty, Chairman; Griffin of Chowan, Long, McBryde, Waynick, Hartsell, Rankin, Blackstock.

*Committee on Internal Improvements*—Senators Sparger, Chairman; Bagley, McLean, Moore, McNeill of Cumberland, Hinsdale, Blue, Clement, Blackburn.

Senator Grady moves that the Senate adjourn to meet tomorrow morning at 10 o'clock; that no public bills be taken up for action tomorrow, and that when the Senate adjourns tomorrow, it adjourn to meet at 8 o'clock Monday night.

The motion prevails.

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#### FOURTH DAY

SENATE CHAMBER,

SATURDAY, January 7, 1933.

The Senate meets pursuant to adjournment and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Robert W. Bradshaw, pastor of Jenkins Memorial Methodist Church, Raleigh, N. C.

The reading of the Journal of yesterday is dispensed with and the same stands approved.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. R. 13, a Joint resolution of respect upon the death of Honorable Calvin Coolidge.

Upon motion of Senator Blackstock, the rules are suspended and the resolution is placed on its immediate readings.

Passes its second and third readings and is ordered enrolled.

S. R. 1, a Joint resolution of the General Assembly of North Carolina, providing for a balanced budget and requiring the Committee on Finance and the Committee on Appropriations to make their report embodying the appropriations for the biennium 1933 to 1935 and the Committee on Finance to make its report upon a revenue and machinery act sufficient to meet the expenses of the State for such biennium, both of such committees to report to the General Assembly by or before the sixth of February, 1933, for concurrence in the House amendment.

The resolution is ordered placed upon the Calendar.

#### ENROLLED BILLS

The Enrolling Department reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State.

H. R. 12, a Joint Resolution providing for a Joint Session of the House of Representatives and the Senate of the State of North Carolina for the purpose of the inauguration of the Governor of North Carolina and other State officers.

H. B. 9, an act to amend section 7663 of the Consolidated Statutes, relating to the distribution of statutes.

#### APPOINTMENTS

The President announces the appointment of the following standing committees:

*Committee on Appropriations*—Senators Clement, Chairman; Rankin, Long, McNeill of Cumberland, Cross, Hill, Gwyn, Burgin, Land, Francis, Blackburn, Kirkpatrick, Bagley, Clark.

*Committee on Finance*—Senators Rankin, Chairman; Clement, McLean, Summersill, Fuller, Ingram, Hinsdale, McDuffee, Waynick, Burgin, Hanes, Aiken, Dunagan, Blackstock, Greene, Griffin of Franklin, Noell.

*Committee on Judiciary No. 1*—Senators Hinsdale, Chairman; Griffin of Chowan, McLean, Griffin of Franklin, Moore, Bland, Fuller, McDuffee, Gwyn, Hartsell, Clement, Aiken, Dunagan, Barker, Francis, Blackburn.

*Committee on Judiciary No. 2*—Senators Grady, Chairman; Bailey, Corey, Hairfield, Summersill, Walker, Burgin, Kirkpatrick, Sparger, Land, Beatty, Blackstock, Greene, Boggan.

*Committee on Propositions and Grievances*—Senators McDuffee, Chairman; Griffin of Franklin, Bland, McNeill of Cumberland, McBryde, Hartsell, Sparger, Francis.

*Committee on Public Health*—Senators Long, Chairman; Bagley, Brown, Ingram, Walker, Burgin, Kirkpatrick, Blackburn, McNeill of Ashe.

*Committee on Public Roads*—Senators Gwyn, Chairman; McDuffee, Fuller, Kirkpatrick, Dunagan, Hill, Bell, Aiken, Bailey, Dempsey, Moore, Clement, Burgin.

*Committee on Railroads*—Senators Francis, Chairman; MacLean, Corey, Grady, Beatty, Cross, Clement, Land.

*Committee on Rules*—Senators Clark, Chairman; Long, Griffin of Franklin, McDuffee, Walker, Gwyn, Burgin, Clement, Hanes, Land, Rankin.



*Committee on Salaries and Fees*—Senators Blackstock, Chairman; Bagley, Waynick, Burgin, Hanes, Rankin, Greene.

*Committee on Senatorial Districts*—Senators Griffin of Franklin, Chairman; Moore, Grady, Barker, McDuffee, Boggan, Kirkpatrick, McNeill of Ashe.

*Committee on Senate Expenditures*—Senators Summersill, Chairman; Corey, Brown, McBryde, Efird, Bell.

*Committee on Trustees of the University*—Senators Land, Chairman; Beatty, Clement, Efird, Francis, Griffin of Franklin, Hanes, Hill, Long, Waynick, Patton, Clark, Bagley.

*Committee on Public Welfare*—Senators Ingram, Chairman; Dempsey, Summersill, Beatty, Ingram, Hill, Blackburn.

*Committee on Water Commerce*—Senators Brown, Chairman; MacLean, Grady, Fuller, Noell, Blue, Hairfield, Bagley.

Upon motion of Senator Patton, 3,000 copies of the list of committees, as announced by the President, are ordered printed.

Upon motion of Senator Patton, the Senate adjourns until 8 o'clock Monday evening.

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## FIFTH DAY

SENATE CHAMBER.

MONDAY, January 9, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Dr. Few of Edenton Street Methodist Church, Raleigh, N. C.

Senator Patton for the Committee on Journal, reports that the Journal of Saturday has been examined and found to be correct and moves that the reading of the Journal be dispensed with and that it stand approved.

The motion prevails.

Senator Patton informed the Senate of the death today of the mother of Honorable John A. Norton, Sergeant at Arms, and makes a motion that the sympathy of the Senate be extended to him.

The motion prevails.

## ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. R. 13, a joint resolution of respect upon the death of Honorable Calvin Coolidge.

S. R. 2, a joint resolution to authorize and provide for the printing of the Governor's message to the General Assembly.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:



H. B. 19, a bill fixing the compensation of presidential electors.  
Referred to Committee on Salaries and Fees.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. R. 1, a joint resolution providing for a balanced budget and requiring the Finance and Appropriations Committee to make a report embodying the appropriation for the biennium 1933 to 1935 and Committee on Finance to make its report upon a revenue and machinery act sufficient to meet the expenses of the State for such biennium, both of such committees to report to the General Assembly on or before the sixth day of February 1933, for concurrence in the House amendment.

Upon motion of Senator Moore, the Senate concurs in the House amendment and the bill is ordered enrolled.

Upon motion of Senator Moore the Senate adjourns until tomorrow morning at 11:00 o'clock.

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SIXTH DAY

SENATE CHAMBER,

TUESDAY, January 10, 1933.

The Senate meets pursuant to adjournment and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Milton A. Barber, Rector Christ Church, Raleigh, N. C.

Senator Patton for the Committee on Journal, reports that he has examined the Journal of yesterday and finds it correct and moves that the reading of the Journal of yesterday be dispensed with and the same stands approved.

The motion prevails.

An indefinite leave of absence is granted to Senators Hinsdale and Gwyn.  
Leave of absence is granted to Senator Blue on official business.

Senator Kirkpatrick offers the following resolution which is adopted.

"That the Senators, in meeting assembled, having been informed by the President of the Senate, that the Senator from Wake County, Honorable John W. Hinsdale, is sick and indefinitely confined to his home; therefore, be it resolved:

"1. That we hereby convey to Senator Hinsdale our sincere sympathies and expressions of condolence in this hour of his sickness;

"2. That we wish him a speedy recovery, and that his presence and advice in the Senate will be greatly missed;

"3. Resolution introduced by Senator of Mecklenburg County, T. L. Kirkpatrick and unanimously adopted;

"4. That the Principal Clerk, Honorable LeRoy Martin, is hereby instructed to convey a copy of these resolutions to Senator Hinsdale."

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Kirkpatrick: S. B. 3, a bill to prohibit banks accepting deposits from selling shares, stocks, bonds or debentures in foreign corporations, associations, partnerships or trusts, or acting as agent in the sale thereof.

Referred to Committee on Banks and Banking.

By Senator Clement: S. B. 4, a bill to provide for the raising of additional public revenue by imposing a tax upon the production and manufacture of all fabricated products with the object of gain, benefit or advantage, and to provide for the ascertainment, assessment and collection of said taxes.

Referred to Committee on Finance.

By Senator Kirkpatrick: S. B. 5, a bill to limit the powers of justices of the peace and constables of Mecklenburg County.

Referred to Committee on Judiciary No. 1.

By Senator Kirkpatrick: S. B. 6, a bill to amend chapter 124, of the Private Laws of North Carolina, session of 1929, relating to a civil service for employees of the City of Charlotte.

Referred to Committee on Counties, Cities and Towns.

By Senator Kirkpatrick: S. B. 7, a bill to provide for the establishment of a civil service board for the rural policemen of Mecklenburg County.

Referred to Committee on Counties, Cities and Towns.

By Senator MacLean: S. B. 8, a bill to regulate the terms of the Superior Court of Beaufort County.

Upon motion of Senator MacLean the bill is placed on the Calendar.

By Senator Walker: S. B. 9, a bill to provide for the management, supervision and improvement of the property, grounds and cemetery of the Providence Church, Graham, Alamance County, North Carolina.

Referred to Committee on Counties, Cities and Towns.

By Senator Moore: S. B. 10, a bill to provide a method for the readjustment of indebtedness of counties and municipalities with creditors and holders of securities.

Referred to Committee on Finance.

By Senator Francis: S. B. 11, a bill to repeal chapter 212, Public Local Laws, 1929, creating the office of tax collector of Haywood County, and to provide for the collection of the taxes of said county.

Referred to Committee on Finance.

By Senator Patton: S. B. 12, a bill to amend sections five thousand nine hundred and sixty to five thousand nine hundred and sixty-eight inclusive of the Consolidated Statutes exempting Cherokee, Clay, Graham, Macon and Swain Counties from the Absentee Voters Law.

Referred to Committee on Election Laws.

By Senator Patton: S. B. 13, a bill to amend section one thousand six hundred and seventy-three of the Consolidated Statutes, relating to tax on dogs in Cherokee, Clay, Graham, Macon and Swain Counties.

Referred to Committee on Finance.



## ENROLLED BILLS

Senator Eñrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 1, A joint resolution of the General Assembly of North Carolina providing for a balanced budget and requiring the Committee on Finance and the Committee on Appropriations to make their report embodying the appropriation for the biennium 1933 to 1935 and the Committee on Finance to make its report upon a revenue and machinery act sufficient to meet the expenses of the State for such biennium, both of such committees to report to the General Assembly by or before the sixth day of February, 1933.

## APPOINTMENTS

As provided in S. R. 1, a joint resolution providing for a balanced budget and requiring the Finance and Appropriations Committees to make a report embodying the appropriations for the biennium 1933 to 1935, and the Committee on Finance to make its report, etc., the President appoints as Committee on part of the Senate, Senators Moore, Hanes and MacLean.

As provided in H. R. 1, a joint resolution inviting the Honorable Franklin D. Roosevelt, President-elect, to address a joint session of the General Assembly, the President appoints as Committee on the part of the Senate, Senators Aiken and Dempsey.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 8, a bill to regulate the terms of the Superior Court of Beaufort County.

Upon motion of Senator MacLean, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

## REPORT OF RULES COMMITTEE

Senator Clark for the Committee on Rules submits the following report:

1. That rules one, two, three, four and five be adopted as at present written.

2. That rule six be amended by adding after the word "the" and before the word "clerk," in the first line thereof, the word "principal."

3. That rule seven be amended by adding the following to be numbered 7-a; "The office of Engrossing Clerk is discontinued, and the duties of that office as heretofore performed by the Engrossing Clerk shall devolve upon the Principal Clerk, who is charged with the responsibility therefor."

4. That rule eight be amended by inserting after the word "the" and before the word "clerk," in line thirteen thereof, the word "principal."

5. That rules nine, ten, eleven, twelve, thirteen, fourteen and fifteen be adopted as at present written.



6. That rule sixteen be amended by striking out the following: "On Trustees State College."

7. That rule seventeen be adopted as at present written.

8. That rule eighteen be amended by adding the following:

"All bills introduced in the Senate providing for bond issues, levying taxes, or in any manner affecting the taxing power of the State or any subdivision thereof, shall, before being considered by the Senate, be referred to the Committee on Finance, and bills referred to other committees carrying any of the provisions, herein mentioned shall be re-referred to the Senate as being bills to be considered by the Finance Committee before proper action may be taken by the Senate."

9. That rules nineteen, twenty, twenty-one, twenty-two, twenty-three and twenty-four be adopted as at present written.

10. That rule twenty-five be amended by inserting after the word "their" and before the word "order," in line ten thereof, the word "inverse." That rule twenty-five be further amended by striking out all of said rule as at present written and following the word "amendment" in line eleven thereof and inserting in lieu thereof the following: "Provided, that no one shall move the previous question except the member submitting the report on the bill or other matter under consideration, and the member introducing the bill or other matter under consideration or the member in charge of the measure, who shall be designated by the chairman of the committee reporting the same to the Senate at the time the bill or other matter under consideration is reported to the Senate or taken up for consideration."

11. That rules twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five and thirty-six be adopted as at present written.

12. That rule thirty-seven be stricken out in its entirety and that the subsequent rules be renumbered in order to follow in numerical sequence.

13. That rule forty-three, as renumbered, be amended by striking out all of the rule after the word "present" in line three thereof.

14. That rule forty-four, as renumbered, be adopted as at present written.

15. That rule forty-five, as renumbered, be adopted as at present written.

16. That rule forty-six, as renumbered, be amended by changing the date "1931," in line five thereof, to the date "1933," and by striking out lines eight, nine, ten, eleven, twelve, thirteen, fifteen and sixteen thereof, and by adding, after the words "Public Health," in line sixteen thereof, the words "Constitutional Amendments."

Rule forty-six, as renumbered, be further amended by striking out the word "four" in line twenty thereof.

17. That rules forty-seven and forty-eight, as renumbered, be adopted as at present written.

18. That rule fifty be stricken out in its entirety and that the subsequent rules be renumbered in order to follow in numerical sequence.

19. That rule forty-nine, as renumbered, be adopted as at present written.

20. That rule fifty, as renumbered, be amended by striking out the words "at the request of any Senator" after the word "Calendar" in line six thereof, and inserting in lieu thereof, the words "by a majority vote of the Senate."

21. That rule fifty-one, as renumbered, be adopted as at present written.

22. That rule fifty-two, as renumbered, be amended by striking out the word "Engrossing," in line seven thereof, and inserting the word "Principal" in lieu thereof.

23. That rule fifty-three, as renumbered, be amended by inserting, after the word "session" and before the word "They," in line five thereof, the words "and shall not exceed six in number."

24. That rules fifty-four and fifty-five, as renumbered, be adopted as at present written.

25. That rule 58 (rule 56, as renumbered,) be stricken out and the following rule adopted in lieu thereof: Whenever a public bill is introduced, a carbon copy thereof shall accompany the bill. The Reading Clerk shall stamp the copy with the number stamped upon the original bill. Such copy shall be daily delivered to the joint committee hereinafter provided for. The Chief Clerk shall deliver the carbon copy of the bills designated to be printed as hereinafter provided for to the public printer and cause 400 copies thereof to be printed. On the morning following the delivery of the printed copies the Chief Clerk shall cause the Chief Page to have one copy thereof put upon the desk of each member, and shall retain the other printed copies in his office. A sufficient number of the printed copies for the use of the committee to which the bill is referred shall be by the Chief Page delivered to the Chairman or Clerk of the committee. If the bill is passed, the remaining copies shall be by the Chief Page delivered to the Chief Clerk of the House for the use of the House. The cost of printing shall be paid from the contingent fund of the Senate. The Chairman of the Rules Committee of the Senate and the Chairman of the Rules Committee of the House shall appoint a sub-committee consisting of three members of the Senate and two members of the House from the body of the Senate and the House, and such Chairman shall notify the Chief Clerk of the House and of the Senate who has been appointed. Such sub-committee shall meet daily and examine the carbon copies of the public bills introduced and determine which of such public bills shall be printed and which shall not, and stamp the copies accordingly. If the member, introducing a public bill, which the Committee shall determine, should not be printed, so desires, he may appear before the Committee at the next meeting thereof with reference thereto.

26. That a new rule be added, to be numbered 57, to read as follows: "That after a bill has been referred to a committee and has remained with the committee for five days, the introducer of the bill may, upon motion supported by a majority of the Senate, cause the bill to be withdrawn from the committee and laid before the Senate for such action thereon as a majority of the Senators present may determine."

Upon motion of Senator Clark the recommendations submitted in the above report are adopted and copies of the rules as amended ordered printed.

Upon motion of Senator McNeill of Cumberland the Senate adjourns until tomorrow morning at 11:30 o'clock.



## SEVENTH DAY

SENATE CHAMBER,

WEDNESDAY, January 11, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. R. W. Bradshaw of Jenkins Memorial Church, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and found the same correct, and moves that the reading of the Journal of yesterday be dispensed with.

The motion prevails.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Long: S. B. 14, a bill to amend the Vital Statistics Law as to registration of births and deaths and to permit the State Board of Health to consolidate, abolish and create registration districts and for other purposes.

Referred to Committee on Public Health.

By Senator Boggan: S. B. 15, a bill to repeal chapter 157, Public Laws 1931, entitled "An act to prohibit the unauthorized practice of law in the State of North Carolina."

Referred to Committee on Judiciary No. 2.

By Senator Francis: S. B. 16, a bill to amend the Consolidated Statutes of North Carolina relating to divorce.

Referred to Committee on Judiciary No. 1.

By Senator Bailey: S. B. 17, a bill relating to divorces.

Referred to Committee on Judiciary No. 1.

By Senator Joyner: S. B. 18, a bill to validate the action of the county commissioners of Northampton County in postponing sale of land for taxes for the years 1930 and 1931.

Referred to Committee on Finance.

By Senator Moore: S. B. 19, a bill levying a license tax of one mill per kilowatt hour on electricity generated or produced for barter, sale or exchange or which may be produced for private profit from natural resources, requiring reports of production and payment monthly to State of such license tax.

Referred to Committee on Finance.

By Senator Ingram: S. B. 20, a bill to amend article 14, section 4, chapter 54, Consolidated Statutes, and to require inspection of gasoline and illuminating oils by the members of the State patrol.

Referred to Committee on Agriculture.

By Senator Moore: S. B. 21, a bill to regulate transportation by motor vehicles over public highways of the State and compel their contribution toward the maintenance and upkeep of the highways.

Referred to Committee on Public Roads.

By Senator Ingram: S. B. 22, a bill to limit construction by the State Highway Commission.

Senator Ingram moves that the rules be suspended and the bill placed upon its immediate readings.

The motion is lost.

Referred to Committee on Public Roads.

By Senator MacLean: S. R. 23, a joint resolution of the Senate and House dealing with the salaries of Constitutional and other State officers.

Senator MacLean moves that the rules be suspended and the resolution placed upon its immediate readings.

Senator Kirkpatrick calls for the ayes and noes upon this motion.

The call is sustained.

The motion prevails, ayes 39, noes 7, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Corey, Cross, Dempsey, Dunagan, Efrd, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Ingram, Joyner, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Waynick,—39.

Those voting in the negative are: Senators Aiken, Blackburn, Greene, Hill, Kirkpatrick, Land, Walker,—7.

The bill passes its second reading.

Senator Dunagan offers an amendment which fails of adoption.

Senator MacLean offers an amendment which is adopted.

The resolution as amended passes its third reading and is ordered engrossed.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance.

H. R. 10, a joint resolution relative to reducing the expenses of the State government, with recommendation that the resolution be referred to the Special Committee on Reorganization of State Government.

Upon this recommendation the resolution is so re-referred.

Upon motion of Senator Kirkpatrick the Senate adjourns until 11:00 o'clock tomorrow morning.

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#### EIGHTH DAY

SENATE CHAMBER.

THURSDAY, January 12, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. A. S. Parker of Central Methodist Church, Raleigh, N. C.



Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and moves that the reading of the Journal of yesterday be dispensed with.

The motion prevails.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. R. 68, a joint resolution of the General Assembly of North Carolina for the purpose of ascertaining the status of the affairs of the Revenue Department and the amount of the outstanding unpaid checks and obligations given said department in payment of taxes and sums due the State of North Carolina.

Referred to Committee on Finance.

H. B. 69, a bill to repeal chapter 176, of the Public-Local Laws of 1925, regarding compensation of jurors in Buncombe County.

Referred to Committee on Judiciary No. 2.

H. B. 74, a bill to amend the law relating to the Recorder's Court for the County of Carteret.

Referred to Committee on Judiciary No. 2.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Aiken: S. B. 24, a bill to authorize the State Highway Commission to reimburse the town of Newton for damages incident to highway bridge construction in said town.

Referred to Committee on Public Roads.

By Senator Boggan: S. B. 25, a bill to protect delinquent tax payers from loss of property during the present emergency, and to assist counties, cities and towns in the orderly collection of delinquent taxes.

Referred to Committee on Finance.

By Senator Corey: S. B. 26, a bill relating to the solicitation of transportation in motor vehicles.

Referred to Committee on Public Roads.

By Senator Noell: S. B. 27, a bill to amend the charter of the town of Oxford, chapter 302, Private Laws of 1913 as amended.

Referred to Committee on Judiciary No. 1.

By Senator Francis: S. B. 28, a bill to require the sheriff or tax collector of Haywood County and the tax collectors of all municipalities in said county to accept partial payments on taxes.

Referred to Committee on Finance.

By Senator Corey: S. B. 29, a bill to provide for the licensing of motor vehicle operators and chauffeurs upon the public highways and to make uniform the law relating thereto, the enforcement thereof and to provide for its operation, and to provide for radio communications between sheriffs,

police departments and other law enforcement agencies within this State.  
Referred to Committee on Public Roads.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed bills, reports the following bills as properly engrossed:

S. R. 23, a joint resolution of the Senate and House dealing with the salaries of Constitutional and other State officers.

The resolution is ordered sent to the House of Representatives.

#### ENROLLED BILLS

Senator Ebird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 8, An Act to regulate the terms of the Superior Court of Beaufort County.

Upon motion of Senator Blackstock, H. B. 69, a bill to repeal chapter 176 of the Public-Local Laws of 1925, regarding compensation of jurors in Buncombe County, is taken from the Committee on Judiciary No. 2 and placed upon the Calendar for its immediate readings.

The bill passes its second and third readings and is ordered enrolled.

Upon motion of Senator Hanes, the Senate adjourns to meet tomorrow at 12 o'clock M.

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### NINTH DAY

SENATE CHAMBER,

FRIDAY, January 13, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Harvey A. Cox of St. Saviours Episcopal Church, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and moves that the reading of the Journal of yesterday be dispensed with.

The motion prevails.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

S. B. 11, a bill to repeal chapter 212, Public Local Laws, 1929, creating the office of tax collector of Haywood County, and to provide for the collection of the taxes of said county, with a favorable report.

S. B. 13, a bill to amend section one thousand six hundred and seventy-three of the Consolidated Statutes, relating to tax on dogs in Cherokee, Clay, Graham, Macon and Swain Counties, with a favorable report.



H. R. 68, a joint resolution of the General Assembly of North Carolina for the purpose of ascertaining the status of the affairs of the Revenue Department, and the amount of the outstanding unpaid checks and obligations given said department in payment of taxes and sums due the State of North Carolina, with a favorable report as amended.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Walker: S. B. 30, a bill to amend sub-chapter 11 entitled "Primary Elections," section 6023 of Consolidated Statutes, relating to fees for filing notice of candidacy by members of county boards of education.

Referred to Committee on Election Laws.

By Senators Cross and Efrid: S. B. 31, a bill to amend section one, chapter 336, Public Laws, 1931, reducing the rate of registration fee for automobiles fifty per cent.

Referred to Committee on Finance.

By Senator McNeill of Cumberland: S. B. 32, a bill to reduce tax penalties of uncollected taxes in Cumberland County.

Referred to Committee on Finance.

By Senator Burgin: S. B. 33, a bill to establish a system of unemployment insurance without liability on the part of the State of North Carolina and to create an Unemployment Insurance Commission.

Referred to Committee on Insurance.

By Senator Hartzell: S. B. 34, a bill to amend section 1443 of the Consolidated Statutes, relating to the courts of Cabarrus County.

Referred to Committee on Judiciary No. 2.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 112, a bill to repeal section 2 of Senate Bill 8, relative to the Superior Courts of Pasquotank and Beaufort Counties, said bill having been passed and ratified January 11, 1933.

Upon motion of Senator Bailey the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### CALENDAR

Bills and resolution on the Calendar are taken up and disposed of as follows:

H. R. 68, a joint resolution of the General Assembly of North Carolina for the purpose of ascertaining the status of the affairs of the Revenue Department and the amount of the outstanding unpaid checks and obligations given said department in payment of taxes and sums due the State of North Carolina.

The amendment offered by the Committee is adopted.

The resolution as amended passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

#### ENROLLED BILLS

Senator Eflrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State.

H. B. 69, An Act to repeal chapter 176 of the Public Local Laws of 1925, regarding compensation of jurors in Buncombe County.

Upon motion of Senator Griffin of Franklin, the Senate adjourns to meet tomorrow at 12:00 o'clock M.

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#### TENTH DAY

SENATE CHAMBER,

SATURDAY, January 14, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. R. K. Davenport of North Vanguard Presbyterian Church, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 19, a bill fixing the compensation of presidential electors, with a favorable report.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 63, a bill to amend chapter 329, Public Laws 1925, relating to salary of the chairman of the board of county commissioners and the sheriff of Swain County.

Referred to committee on Salaries and Fees.

H. B. 31, a bill relating to the salaries of the county officers of Hertford County.

Referred to Committee on Salary and Fees.



H. B. 45, a bill to amend chapter 212, Public Local Laws of 1929, relating to the salary of tax collector in Haywood County.

Referred to Committee on Salary and Fees.

H. B. 52, a bill to amend section 4644 of the Consolidated Statutes, relating to new trial in criminal cases.

Referred to Committee on Judiciary No. 1.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Patton and Francis: S. B. 35, a bill to amend section 12½ of chapter 430, Public Laws 1931, relating to summer school requirements for teachers.

Referred to Committee on Education.

By Senator McNeill of Ashe: S. B. 36, a bill to set aside and allocate a certain portion of the taxes from motor fuels for the aid and relief of the several counties of the State.

Referred to Committee on Public Roads.

By Senator Hill. S. R. 37, a Senate resolution to require the Local Government Commission to furnish the General Assembly now in session with figures and certain information regarding all local government units now in default.

Upon motion of Senator Hill, the rules are suspended and the resolution is immediately considered.

The resolution is unanimously adopted.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 11, a bill to repeal chapter 212, Public Local Laws 1929, creating the office of tax collector of Haywood County, and to provide for the collection of the taxes of said county.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 13, a bill to amend section 1673 of the Consolidated Statutes, relating to tax on dogs in Cherokee, Clay, Graham, Macon and Swain Counties.

The bill passes its second reading, and upon objection by Senator Clement to its final passage, takes its place upon the Calendar.

Upon motion of Senator Long, the Senate adjourns to meet Monday night at 8 o'clock.

## ELEVENTH DAY

SENATE CHAMBER,

MONDAY, January 16, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. W. W. Davidson of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Senator E. W. Summersill, representing the 7th District, being present for the first time, is called before the bar of the Senate and the prescribed oath of office is administered to him by the President of the Senate.

Indefinite leave of absence is granted to Senator MacLean.

## ENROLLED BILLS

Senator Eflrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 112, An Act to repeal section 2 of S. B. 8, relative to the Superior Courts of Pasquotank and Beaufort Counties, said bill having been passed and ratified January 11, 1933.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the calendar, as follows:

By Senator Long, for the Committee on Public Health:

S. B. 14, a bill to amend the Vital Statistics Law as to registration of births and deaths and to permit the State Board of Health to consolidate, abolish and create registration districts and for other purposes, with a favorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Land: S. B. 38, a bill to repeal chapter 423 of the Public Local Laws of 1931, relative to the nomination and election of the county superintendent of public instruction of Iredell County.

Referred to Committee on Public Welfare.

By Senator Land: S. B. 39, a bill to repeal chapter 485 of the Public Local Laws of 1931, relative to the nomination and election of the county superintendent of public instruction of Iredell County.

Referred to Committee on Education.

By Senator Land: S. B. 40, a bill to amend chapter 51 of the Public Laws of 1927, known as the North Carolina Game Laws, and to abolish



the office of state game warden, and to provide for taking game and wild animals on lands of residents without license.

Referred to Committee on Game.

By Senator Griffin of Franklin: S. B. 41, a bill to submit a proposed amendment to section 3, of article 5 of the Constitution of North Carolina, raising the rate of tax on incomes.

Referred to Committee on Constitutional Amendments.

By Senator Griffin of Franklin: S. B. 42, a bill to amend chapter 335 of the Public Laws of 1929, repealing residence license requirements for fishing in the waters of North Carolina.

Referred to Committee on Game Laws.

By Senator Griffin of Franklin: S. B. 43, a bill to amend chapter 51 of the Public Laws of 1927, repealing the resident licenses required to hunt game in North Carolina.

Referred to Committee on Game Laws.

By Senator Cross: S. B. 44, a bill to amend section 5177 of the Consolidated Statutes of North Carolina, relating to building and loan associations.

Referred to Committee on Judiciary No. 1.

By Senator Cross: S. B. 45, a bill to amend section 5192 of the Consolidated Statutes of North Carolina, relating to license fees of building and loan association agents.

Referred to Committee on Judiciary No. 1.

By Senator Cross: S. B. 46, a bill to amend section 5184 of the Consolidated Statutes of North Carolina, relating to building and loan associations.

Referred to Committee on Judiciary No. 1.

By Senator Cross: S. B. 47, a bill to amend chapter 93 of the Consolidated Statutes of North Carolina, sub-chapter 1, relating to building and loan association.

Referred to Committee on Judiciary No. 1.

By Senator Cross: S. B. 48, a bill authorizing building and loan associations of this State to become members and purchase stock of the Federal Home Loan Bank.

Referred to Committee on Judiciary No. 1.

By Senator Cross: S. B. 49, a bill to prohibit the appointment of receivers for building and loan associations without supervisory authority joining in petition or motion.

Referred to Committee on Judiciary No. 1.

By Senator Long: S. B. 50, a bill to amend chapter 100 of the Public Laws of 1927, relating to the creation, government, maintenance and operation of sanitary districts and prescribing the powers of such districts.

Referred to Committee on Public Health.

By Senator Dunagan: S. B. 51, a bill to amend chapter 145 of Public Laws of 1931, so as to repeal the sixty day minimum term for commitment to district prison camps.

Referred to Committee on Penal Institutions.

By Senator Dunagan: S. B. 52, a bill to amend chapter 42, Public Laws, extra session, 1924, relating to the time of meeting of the town council of the Town of Rutherfordton.

Referred to Committee on Counties, Cities and Towns.

By Senator Patton: S. B. 53, a bill to exempt hunters of coyotes, wild cats, foxes, and/or crows from payment of hunting license in Cherokee, Clay, Graham, Macon and Swain Counties.

Referred to Committee on Game Laws.

By Senator Patton: S. B. 54, a bill to place a bounty upon the scalps of coyotes, wild cats and crows killed in Macon County.

Referred to Committee on Game Laws.

By Senator Hartsell: S. B. 55, a bill to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses.

Referred to Committee on Judiciary No. 2.

By Senator Hartsell: S. B. 56, a bill to repeal sections 3401 and 3402 of article 6, chapter 66 of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills.

Referred to Committee on Propositions and Grievances.

By Senator Hartsell: S. R. 57, a joint resolution providing for the celebration of the centennial of the laying of the corner stone of the North Carolina State Capitol.

Upon motion of Senator Hartsell, the rules are suspended and the resolution is placed on its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Rankin: S. B. 58, a bill to raise revenue.

Referred to Committee on Finance.

By Senator Clement: S. B. 59, a bill to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and for other purposes; and to reduce salaries of officers, employees and agents.

Referred to Committee on Appropriations.

#### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. C. B. Ehringhaus:

*Mr. President, Mr. Speaker, and Members of the General Assembly:*

In compliance with the provisions of our statutes I transmit to you herewith the budget for the biennium from June 30, 1933, to June 30, 1935, for the fiscal years 1933-34 and 1934-35, as submitted by the outgoing administration. Accompanying it also are revenue and appropriation acts prepared in accord with the budget proposals.

These of course were all prepared upon the basis of a continuance of the present governmental set-up. With them is a vast quantity of valuable and most useful information which no doubt will aid you greatly in the task that is before you. These bills also will provide a beginning point from which you may direct your efforts.



While there is much contained in these reports with which I find myself in accord, I feel constrained to record my dissent to them in certain substantial particulars.

You will observe by reference to the Budget, page 9, that "these recommendations as to balancing contemplate covering a probable deficiency, after repealing the 15 cent ad valorem property tax levy, of ten million dollars," for the year 1933-34, and substantially the same amount for the year 1934-35. You will observe also that the proposal to effect this contemplates:

	1933-34	1934-35
(a) Reducing General Fund Expenses.....	\$ 3,000,000	\$ 3,000,000
(b) Refunding General Fund B. Maturities	1,150,000	1,738,000
(c) Transfer of Highway Revenue.....	2,000,000	2,000,000
(d) and replacing the 15 cents on property tax with new levies.....	3,850,000	3,850,000
Totals .....	\$10,000,000	\$10,588,000

In the very few hours since these were submitted to me I have had no sufficient opportunity for a careful review of the detail of each of these proposals. A submission of such detail is neither necessary nor proper at this time. It will be sufficient for me to submit the following observations:

The action of the General Assembly, in line with my inaugural suggestion that "the whole field of governmental set-up should be carefully canvassed to the end that duplications of efforts may be avoided and eliminations and consolidations effected wherever practicable," increases the prospect of even greater economies than those herein proposed, and certainly will result in the elimination of various items for which provision is herein made. The appointment of strong and able committees by both branches of the Assembly has reassured the public mind and met with widespread approval. I feel confident that out of this enterprise will come a real substantial economy and more accurate appraisal of what may thus be saved is, in my judgment, the first step in your preparation of budget, appropriation, and revenue measures for the next biennium. I am impressed, too, with the idea that the reductions here proposed follow too largely the idea of horizontal decreases without considering, as is vital, the difference between the essential and non-essential services. In this connection, I venture to repeat my suggestion that this General Assembly will do well if it will—even as to those for which it finally makes provision—"classify governmental activities into essential and non-essential classes," with provision for budgetary discrimination as therein pointed out; I am also of the opinion that all salary reductions should be graduated.

#### *New Taxes*

These measures propose a substantial increase in tax levies. While I have no objection to readjustments which do not add to present burdens or which effectuate their more equitable distribution or to corrections of manifest errors or to levies upon enterprises which have heretofore escaped

taxation, I do not think that substantial levies, involving new burdens, should be considered unless and until every effort has been exhausted for economy consistent with the preservation of essential services and activities. Until we have definitely determined how much we can save and only then will we be justified in considering the imposition upon our people of the burden which such new levies will entail. If this unhappy necessity should eventuate, then such levies should be "earmarked" for the essential services for which required. And it should be made plain also that such levies are temporary and emergency levies only. Under no consideration should we permit these to be considered or construed as invitations to spending agencies to raise or maintain spending levels. A substantial economy is not only imperative but it is the first step in budget balancing.

#### *The Transfer of Highway Funds*

You will observe that this budget proposes to divert two million dollars of highway funds to the general fund of the State as a means of balancing the budget. I cannot give my approval to this suggestion. An indirect diversion is just as objectionable as one directly made. My reasons for this opposition need not be here set forth at length. In the main they have been indicated in my inaugural message. However, it is proper to observe here that in view of the rapid decrease in highway revenues which has been noted since July 1, last, it would seem that the prospect of any such surplus above debt service and reasonable maintenance cost is too insubstantial to warrant us in accepting this provision as a basis of budget balancing. As a further evidence of the possibility of continued decreases and the uncertainty of supposing that we shall have the same revenue next year as last in this fund, there has recently been prepared a statement covering the sales of new passenger cars and trucks in North Carolina for several years past. Here are the figures:

<i>Year</i>	<i>Passenger</i>	<i>Trucks</i>	<i>Total</i>
1925 .....	64,537	5,904	70,441
1926 .....	66,296	6,440	72,736
1927 .....	59,877	7,340	67,217
1928 .....	57,607	7,010	64,617
1929 .....	64,171	9,609	73,780
1930 .....	33,768	6,483	40,251
1931 .....	28,088	6,821	34,909
1932 .....	15,300	3,698	18,998

You will see from this table that the past year has shown a decrease in sales of new automobiles and trucks to the point where it is less than one-third of the peak. This is strong indication of the reasonable probability of an even greater shrinkage. The estimates of probable revenues as set out on pages 60 and 61 of the Budget, here transmitted, lends further proof and probability to this suggestion.



*Refunding of General Fund Maturities*

I must call your attention also to the fact as appears from a perusal of this budget, that the balancing here proposed contemplates the refunding of our general fund bond maturities during the next biennium amounting to \$1,150,000 for the fiscal years 1933-34 and \$1,738,000 for the fiscal year 1934-35. Most respectfully, but emphatically, I suggest that this does not constitute a balanced budget. Certainly it does not accord with my idea of the necessities of the present situation if we are to preserve our credit and set up a really balanced budget. It is not difficult to differentiate between the funding of a casual deficit—even one as large as we have presently accumulated—and the funding of a maturing obligation. Our casual deficit is due to unprecedented economic conditions, universally present, and resulting in unforeseen and largely unforeseeable shrinkage in revenue. The funding of a casual deficit is a recognized practice in the world of sound finance. The refunding of maturing obligations is there regarded as an evidence of financial instability.

There are other things which might be said here, but these are sufficient and I refrain for the further reason that I am anxious to get these measures before you at the earliest possible moment, to the end that you may promptly proceed with your labors.

Let me repeat, because it seems to me that it cannot be too greatly emphasized, that it is imperatively necessary that this Legislature should match its appropriations with its provisions and provide for an undeniably balanced budget. If the set-up which should be finally adopted is predicated upon what in reasonable probability may be classified as an uncertainty, or is built upon the basis of refunding maturing obligations, our whole financial structure is jeopardized and the credit of the State imperiled. We can never hope to float the bonds necessary to cover our accumulated casual deficit or to make such short term borrowings as may be necessary from time to time; we can never hope to obtain such financing as we need upon reasonable interest terms, unless and until we have provided a budget balanced upon the basis of substantial certainty. With this done, and with a real economy program, we can look hopefully towards the future.

J. C. B. EHRLINGHAUS, *Governor*.

January 16, 1933.

The message is referred to the Committees on Finance and Appropriations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 25, a bill to reduce the reward for capture of stills in Beaufort County. Referred to Committee on Propositions and Grievances.

H. B. 64, a bill to amend section 1 of chapter 16 of the Public Local Laws 1927, relating to penalty for public drunkenness in Swain County.

Referred to Committee on Propositions and Grievances.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 13, a bill to amend section 1673 of the Consolidated Statutes, relating to tax on dogs in Cherokee, Clay, Graham, Macon and Swain.

Passes its third reading and is ordered sent to the House of Representatives.

H. B. 19, a bill fixing the compensation of Presidential Electors.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Clark, the Senate adjourns to meet tomorrow at 12 o'clock m.

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TWELFTH DAY

## SENATE CHAMBER,

TUESDAY, January 17, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. R. Farris of Hillyer Memorial Church, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators Bennett and McSwain.

Senator McNeill of Cumberland for the Committee on Inauguration reports on the expenses of the inauguration.

Upon motion of Senator Burgin, seconded by Senator Moore, a vote of thanks is extended to the Inaugural Committee and General J. Van B. Metts, for their valuable services in arranging for the inauguration.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Grady, for the Committee on Judiciary No. 2:

H. B. 52, a bill to amend section 4644 of the Consolidated Statutes, relating to new trial in criminal cases, with a favorable report.

S. B. 55, a bill to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses, with a favorable report.

H. B. 74, a bill to amend the law relating to the Recorder's Court for the County of Carteret, with a favorable report.

S. B. 15, a bill to repeal chapter 157, Public Laws, 1931, entitled "An act to prohibit the unauthorized practice of law in the State of North Carolina," with an unfavorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:



By Senators Patton, McNeill of Ashe, and others: S. B. 60, a bill to repeal chapter 120 of the Public Laws of 1929, the same being known as the Workmen's Compensation Act.

Referred to Committee on Insurance.

By Senator Walker: S. B. 61, a bill to amend the law in regard to the General County Court of Alamance County.

Referred to Committee on Judiciary No. 2.

By Senator Bland: S. B. 62, a bill to amend chapter 697 of the Public Local Laws of 1913, relating to the term of office of the judge of the county court of Wayne County.

Referred to Committee on Judiciary No. 2.

By Senator Blackburn: S. B. 63, a bill to repeal chapter 180, Public Local Laws of 1931, being "An act to protect foxes in Wilkes County."

Referred to Committee on Game Laws.

By Senator Blackburn: S. B. 64, a bill to amend section 1 of chapter 317 of the Public Local Laws of 1931, being "An act to make it unlawful to operate a filling station in Wilkes County and Stokes County on Sunday, between the hours of ten a.m. and twelve p.m."

Referred to Committee on Propositions and Grievances.

By Senator Blackburn: S. B. 65, a bill to exempt Wilkes and Yadkin Counties from the provisions of chapter 348, Public Local Laws, 1931, relating to the territorial jurisdiction of the recorder's court of Elkin, Surry County.

Referred to Committee on Judiciary No. 2.

By Senator Grady: S. B. 66, a bill to amend chapter 93 of the Public Laws of 1929, relating to assessment plan of certain insurance companies.

Referred to Committee on Insurance.

By Senator Greene: S. B. 67, a bill to repeal chapter 243 of the Public Local Laws of 1925, relating to the sale and use of fireworks and toy pistols in Mitchell, Madison, Yancey, Avery, and Macon Counties.

Referred to Committee on Propositions and Grievances.

By Senator Corey: S. B. 68, a bill to amend section 4410 of volume one of the Consolidated Statutes, relating to carrying concealed weapons.

Referred to Committee on Judiciary No. 2.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 11, An act to repeal chapter 212, Public Local Laws, 1929, creating the office of tax collector of Haywood County, and to provide for the collection of the taxes of said county.

H. B. 19, An act fixing the compensation of Presidential Electors.

#### MEMORIALS

The President announces receipt of a joint resolution asking the Governor of North Carolina to proclaim October 11th of each year, General Pulaski's Memorial Day.

Referred to Committee on Judiciary No. 2.

The President announces receipt of a memorial to the members of State Legislatures from the Department of State of North Dakota, urging State Legislatures to memorialize Congress to pass S. B. 1197, known as the Frazier Bill.

Referred to Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 14, a bill to amend the vital statistics law as to registration of births and deaths and to permit the State Board of Health to consolidate, abolish and create registration districts and for other purposes.

Passes its second and third readings and sent to the House of Representatives.

Upon motion of Senator Joyner, the Senate adjourns to meet tomorrow morning at 12 o'clock m.

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### THIRTEENTH DAY

#### SENATE CHAMBER,

WEDNESDAY, January 18, 1933.

The Senate meets pursuant to adjournment, and in the absence of the Lieutenant-Governor and the President *pro tempore*, the Principal Clerk calls Senator Grady to the Chair, who calls the Senate to order and presides during the Session.

Prayer is offered by Dr. Feezor of Tabernacle Baptist Church, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators Townsend, Blount, Burgwin, Lindsay and Kenneth Royall.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Griffin of Chowan, for the Committee on Judiciary No. 1:

S. B. 5, a bill to limit the powers of justices of the peace and constables of Mecklenburg County, with a favorable report.

S. B. 44, a bill to amend section 5177 of the Consolidated Statutes of North Carolina, relating to building and loan associations, with a favorable report.

S. B. 46, a bill to amend section 5184 of the Consolidated Statutes of North Carolina, relating to building and loan associations, with a favorable report.

S. B. 48, a bill authorizing building and loan associations of this State to become members and purchase stock of the Federal Home Loan Bank, with a favorable report.

S. B. 47, a bill to amend chapter 93 of the Consolidated Statutes of North Carolina, sub-chapter 1, relating to building and loan associations, with a favorable report.



S. B. 45, a bill to amend section 5192 of the Consolidated Statutes of North Carolina, relating to license fees building and loan association agents, unfavorable as to bill, favorable as to substitute offered by the Committee.

By Senator Long, for the Committee on Public Health:

S. B. 50, a bill to amend chapter 100 of the Public Laws of 1927, relating to the creation, government, maintenance and operation of sanitary districts and prescribing the powers of such districts, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator McNeill of Cumberland: S. B. 69, a bill to amend certain sections of the election laws of the State.

Referred to Committee on Election Laws.

By Senator Burgin: S. B. 70, a bill to amend section 1, chapter 48, Public Laws of 1927, relative to the appointment of members of the North Carolina Park Commission.

Referred to Committee on Reorganization of State Government.

By Senator Waynick: S. B. 71, a bill to amend chapter 338, section 1, Public Laws of 1931, relating to the awarding of contracts by boards or officers of Local Government units until competitive bids are received therefor.

Referred to Committee on Finance.

By Senator Summersill: S. B. 72, a bill to amend chapter 260, Public Laws, 1931, being an amendment to section 8037 of the Consolidated Statutes, relating to penalties on delinquent taxes.

Referred to Committee on Judiciary No. 2.

By Senator Summersill: S. B. 73, a bill to amend section 1970 of the Consolidated Statutes, relating to Sunday fishing in Onslow County.

Referred to Committee on Fish and Fisheries.

By Senator Beatty: S. B. 74, a bill relating to terms of Superior Court in Bladen County.

Referred to Committee on Courts and Judicial Districts.

By Senator Noell: S. B. 75, a bill to place Mrs. Nannie Edwards, widow of A. P. Edwards, a deceased Confederate soldier, on the pension roll for Person County.

Referred to Committee on Pensions.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 59, a bill to regulate lobbying.

Referred to Committee on Propositions and Grievances.

H. B. 152, a bill to give the commissioners of Cleveland County the power to abolish and consolidate all unnecessary offices in Cleveland County, and to give the commissioners of said county the right to fix the salaries of all county officers.

Upon motion of Senator Dunagan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 164, a bill to amend section 1, chapter 176 of the Public Laws of 1931, relating to the zoning of certain properties, so as to include Forsyth County in the list of exempted counties.

Upon motion of Senator Hanes, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
January 17, 1933.

*Mr. President:*

It is ordered that a special message be sent to the Senate informing that honorable body that the House of Representatives has passed the following bills and resolutions, and asks the concurrence of your honorable body therein:

H. B. 8, a bill to amend chapter 3, Public Laws, 1929, reducing the compensation of the clerks and other employees of the General Assembly by twenty per cent.

Respectfully,

THAD EURE, *Principal Clerk.*

Upon motion of Senator Blackstock, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 74, a bill to amend the law relating to the Recorder's Court for the County of Carteret.

Passes its second and third readings and is ordered enrolled.

S. B. 55, a bill to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 52, a bill to amend section 4644 of the Consolidated Statutes, relating to new trial in criminal cases.

Upon motion of Senator Clark, S. B. 52 is carried over on the Calendar without action until tomorrow.

Upon motion of Senator Clark, the Senate adjourns to meet tomorrow morning at 12:00 o'clock m.



## FOURTEENTH DAY

SENATE CHAMBER,

THURSDAY, January 19, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. C. J. Hollandsworth of First Vanguard Presbyterian Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Gwyn, for the Committee on Public Roads:

S. B. 24, a bill to authorize the State Highway Commission to reimburse the town of Newton for damages incident to highway bridge construction in said town, with a favorable report as amended.

By Senator Long, for the Committee on Election Laws:

S. B. 30, a bill to amend sub-chapter II, entitled "Primary Elections," section 6023 of Consolidated Statutes, relating to fees for filing notice of candidacy by members of county boards of education, with a favorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Kirkpatrick: S. R. 76, a resolution to memorialize Congress to increase the currency and the medium of exchange for the citizens and business interests throughout the United States.

Referred to Committee on Finance.

By Senator McDuffee: S. B. 77, a bill to provide for the appointment of guardians of the estate under certain conditions.

Referred to Committee on Judiciary No. 1.

By Senator Kirkpatrick: S. B. 78, a bill to provide for free privilege license for the blind to transact business in this state.

Referred to Committee on Finance.

By Senator Fuller: S. B. 79, a bill to consolidate the collection of current and delinquent taxes now collected by the sheriff and register of deeds of Robeson County by the appointment of a revenue and tax assistant to the County Manager.

Referred to Committee on Finance.

## ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 8, an act to amend chapter 3, Public Laws of 1929, reducing the compensation of the clerks and other employees of the General Assembly twenty per cent.

H. B. 74, an act to amend the law relating to the Recorder's Court for the County of Carteret.

H. B. 152, an act to give the commissioners of Cleveland County the power to abolish and consolidate all unnecessary offices in Cleveland County, and to give the commissioners of said county the right to fix the salaries of all county officers.

H. B. 164, an act to amend section 1, chapter 176, of the Public Laws of 1931, relating to the zoning of certain properties so as to include Forsyth County in the list of exempted counties.

H. R. 68, a joint resolution of the General Assembly of North Carolina for the purpose of ascertaining the status of the affairs of the Revenue Department, and the amount of the outstanding unpaid checks and obligations given said department in payment of taxes and sums due the State of North Carolina.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 36, a bill to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Lincoln County.

Referred to Committee on Propositions and Grievances.

H. B. 73, a bill to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony by wife against a husband in criminal prosecutions for the abandonment of children.

Referred to Committee on Judiciary No. 1.

H. B. 75, a bill relating to the holding of the Superior Courts of Davidson County.

Referred to Committee on Judiciary No. 2.

H. R. 166, a joint resolution memorializing the Congress of the United States to exercise to the fullest extent the powers conferred upon it by the Federal Constitution to regulate and fix the value of money, and to promote the general welfare, to the end that the commodity price level may be lifted, colossal bankruptcies prevented, and our social, economic and governmental structure preserved.

Referred to Committee on Finance.

H. B. 187, a bill to authorize the board of commissioners of Robeson County to fix, raise, lower or adjust salaries of county officials and subordinates in accordance with changing economic conditions and for efficiency.

Referred to Committee on Salaries and Fees.

#### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency Governor J. C. B. Ehringhaus:



January 19, 1933.

*To the General Assembly of North Carolina:*

In accordance with joint resolution No. 36, General Assembly of 1931, I have the honor to transmit herewith the report of the North Carolina Constitutional Commission. I commend it to you for your thoughtful consideration.

Respectfully,

J. C. B. EHRLINGHAUS, *Governor*.

The message with the report is referred to Committee on Constitutional Amendments.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 5, a bill to limit the powers of justices of the peace and constables of Mecklenburg County.

Passes its second and third readings, and is ordered sent to the House of Representatives.

S. B. 44, a bill to amend section 5177 of the Consolidated Statutes of North Carolina, relating to building and loan associations.

Passes its second and third readings, and is ordered sent to the House of Representatives.

S. B. 45, a bill to amend section 5192 of the Consolidated Statutes of North Carolina, relating to license fees building and loan association agents.

The substitute offered by the Committee is adopted.

The bill as amended passes its second and third readings, and is ordered engrossed.

S. B. 46, a bill to amend section 5184 of the Consolidated Statutes of North Carolina, relating to building and loan associations.

Passes its second and third readings, and is ordered sent to the House of Representatives.

S. B. 47, a bill to amend chapter 93 of the Consolidated Statutes of North Carolina, sub-chapter 1, relating to building and loan associations.

Passes its second and third readings, and is ordered sent to the House of Representatives.

S. B. 48, a bill authorizing building and loan associations of this State to become members and purchase stock of the Federal Home Loan Bank.

Passes its second and third readings, and is ordered sent to the House of Representatives.

S. B. 50, a bill to amend chapter 100 of the Public Laws of 1927, relating to the creation, government, maintenance and operation of sanitary districts and prescribing the powers of such districts.

Passes its second and third readings, and is ordered sent to the House of Representatives by a special messenger.

H. B. 52, a bill to amend section 4644 of the Consolidated Statutes, relating to new trial in criminal cases.

The bill fails to pass second reading.

Senator Kirkpatrick moves that the vote by which the bill failed to pass its second reading be reconsidered, and that this motion lie upon the Table.

The motion prevails.

Under provision of S. R. 37, a resolution to require the Local Government Commission to furnish the General Assembly now in session with figures and certain information regarding all local government units now in default, the President appoints the following as a Committee to receive the information requested: Senators Hill, Hairfield and McBryde.

Upon motion of Senator Burgin, the Senate adjourns in honor of the memory of Generals Robert E. Lee and Stonewall Jackson of the Confederate Army, to meet tomorrow at 12 o'clock m.

### FIFTEENTH DAY

SENATE CHAMBER,

FRIDAY, January 20, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. E. L. Schuler, Seventh Day Adventist, of Raleigh, N. C.

Senator Patton for the Committee on Journal, announces that he has examined the Journal of yesterday and finds the same correct and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senator James L. DeLaney.

The President announces the acceptance of the offer of Radio Station WPTF to broadcast proceedings of the Senate during today's session.

The President announces receipt of resolutions, prepared and presented by a meeting of citizens held at Charlotte, under the auspices of the Veterans of Foreign Wars.

Referred to Committee on Finance.

The President announces the receipt of a letter from Honorable Franklin D. Roosevelt, as follows:

At 49 East 65th Street,

New York City, January 18, 1933.

HON. A. H. GRAHAM,

*President of the Senate*

*North Carolina General Assembly,*

*Raleigh, North Carolina.*

*My dear Mr. President:*

I am grateful to the General Assembly of North Carolina for their delightful invitation to me to come to Raleigh to address them in Joint Session.

I wish much that I might do so, but on my way south I must go through Tennessee and on my way back after a short cruise in southern waters I must return by the coast line.

Will you be good enough to extend my compliments and greetings to the Members of the General Assembly and to thank them in my behalf.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.



## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator McDuffee, for the Committee on Propositions and Grievances:

S. B. 56, a bill to repeal sections 3401 and 3402 of article 6, chapter 66 of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills, with a favorable report.

S. B. 64, a bill to amend section 1 of Chapter 317 of the Public Local Laws of 1931, being an act to make it unlawful to operate a filling-station in Wilkes County and Stokes County on Sunday, between the hours of 10:00 a.m. and 12:00 p.m., with a favorable report.

H. B. 59, a bill to regulate lobbying, with a favorable report.

H. B. 64, a bill to amend section 1, of chapter 16 of the Public Local Laws, 1927, relating to penalty for public drunkenness in Swain County, with a favorable report.

## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bill as properly engrossed, and it is ordered sent to the House of Representatives.

S. B. 45, a bill to amend section 5192 of the Consolidated Statutes of North Carolina, relating to license fees building and loan association agents.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Kirkpatrick: S. B. 80, a bill to amend the Constitution, article 5, section 3, so as to provide an exemption from taxation of two thousand dollars for homes.

Referred to Committee on Finance.

By Senator Hill: S. B. 81, a bill to empower, instruct and authorize the county board of elections of Durham County to conduct all municipal primary and special elections.

Referred to Committee on Election Laws.

By Senator Dunagan: S. B. 82, a bill to amend chapter 42, Private Laws, Extra Session, 1924, relating to the time of meeting of town council of the Town of Rutherfordton.

Referred to Committee on Counties, Cities and Towns.

By Senator Blackstock: S. B. 83, a bill to provide for redemption of real estate purchased by counties or other political sub-divisions under tax foreclosure suits, and for an extension of time within which to pay delinquent taxes, and to reduce penalties, court costs and interest rate upon taxes.

Referred to Committee on Finance.

By Senator Francis: S. R. 84, a joint resolution for the appointment of a committee to attend the interstate conference of legislators at Washington, D. C. on February 3, 1933.

Placed upon the Calendar.

By Senators Clark and Hinsdale: S. B. 85, a bill to amend chapter 119, Public Laws, 1929, and chapter 32, Public Laws, 1931, relating to State Barber's License Law.

Referred to Committee on Public Health.

By Senator Hinsdale: S. B. 86, a bill to impose an excise or license tax on manufactured tobacco products, playing cards, candy, gun shells, malt extract, automotive vehicles, and tractors, admissions and soft drinks, for the purpose of balancing the budget and reducing tax rate on real estate and personal property.

Referred to Committee on Finance.

By Senator Hinsdale: S. B. 87, a bill preventing any member of the General Assembly from accepting, during his term of office, a position created by such General Assembly.

Referred to Special Committee on Reorganization of State Government.

By Senator Greene: S. B. 88, a bill to repeal chapter 28 of the Public Local Laws of 1929, relating to capture of illicit distilleries in Mitchell County.

Referred to Committee on Propositions and Grievances.

By Senator Long: S. B. 98, a bill to provide for the reelection and organization of county boards of health.

Referred to Committee on Public Health.

Senator Moore for the Joint Committee of the Senate and House of Representatives on reorganization of the State Government submits the following report:

*To the General Assembly of North Carolina:*

Your Joint Committee on Reorganization of State Government respectfully submit for your consideration the following report:

The General Assembly having already passed such legislation as could become effective for a reduction in the salaries of the Governor and constitutional state officers and your Committee regarding such reductions as consistent with the remaining recommendations of the Committee do not further refer to these officers in the general scheme of economy which your Committee undertakes to present and in this report will undertake to take the several departments of government to which they will refer in the order in which the same are set up in the Budget Appropriation Bill submitted at this session.

#### *Governor's Office*

1. Your Committee recommend that the position of Executive Counsel shall be abolished.

2. Your Committee recommend that the office of the Director of the Department of Personnel shall be abolished and that the duties and functions of this department shall be transferred to the Budget Bureau.

3. We respectfully recommend that the Budget Bureau now being under the Governor's supervision and control, shall have its offices in the Capitol adjacent to the Governor's office so that he may at all times have contact therewith, and your Committee recommend for this purpose that this bureau shall be assigned to the offices in the Capitol Building now occupied by the Treasurer.



4. We recommend that the office of Superintendent of State-owned farms shall be abolished.

*Secretary of State*

5. Your Committee respectfully recommend that the office of the secretary of the State Board of Elections shall be transferred to the Secretary of State's office and his functions and duties shall be performed by the Secretary of State as an extra duty of his office, without additional compensation, and if legislation is necessary for this purpose then that such legislation shall be immediately enacted by this General Assembly.

6. The Secretary of State now the Secretary to the Board on Public Buildings and Grounds shall be charged with the management and care of public buildings and grounds, with full responsibility therefor subject to the directions of the Board and subject to the control of the Director of the Budget, and it is respectfully recommended that in many of the labors incident to the preservation of the grounds and buildings convict labor should be used in a part of this work with great economy to the State, and this Committee recommend that such legislation be adopted as may be necessary to carry into operation this recommendation so that the expenses of this department may be substantially reduced.

*State Treasurer*

7. It is recommended by your Committee that there shall be transferred to the State Treasurer the duties and functions of the Director of the Local Government Commission and that the duties and administration of this office shall be administered by the State Treasurer without other or additional compensation from the State and in connection with his office as treasurer.

8. We recommend that the office of the Treasurer be moved to the Revenue Building where space shall be provided.

8-a. Your Committee recommend that the World War Veterans' Loan Fund be transferred to the State Treasurer's office, and that the Office of Commissioner of the World War Veterans' Loan Fund be consolidated with that of the State Treasurer without additional compensation.

8-b. Your Committee recommend that the Tax Commission shall be abolished and that the essential duties of this Commission shall be transferred to the Department of Revenue without any appropriation therefor, and the Commissioner of Revenue shall make a biennial report on the tax situation without any additional expense to the State.

*Attorney General*

9. It is recommended that the Attorney General shall be the legal adviser to the Governor and all departments, bureaus, agencies and commissions of the State and shall at all times represent the State in all matters in which it may be interested; and shall have the assistant attorneys general as now provided by law. No department, agency, bureau or commission of the State shall employ any regular, special or any other counsel except by and with the advice and approval of the Governor and the Attorney General.

10. That the Department of the Legislative Reference Librarian shall be transferred to the Department of the Attorney General, and the Legislative Reference Librarian shall in addition to the duties of his office assist the Attorney General and perform such duties as may be assigned to him by the Attorney General all without additional compensation.

*Department of Revenue*

11. Your Committee respectfully recommend that there shall be a readjustment of the Department of Revenue and that the legislation concerning its functions shall be so amended as to prevent loss of revenue resulting from inability to promptly collect revenues due this Department and to the end that the Department may function more efficiently. It is particularly recommended that the law relating to the collection of gasoline taxes and the giving of a bond in connection therewith for the protection of the State from loss of revenue due and owing to it shall be so amended as to fully protect the interests of the State and require and compel the payment of revenues due to it promptly.

12. We recommend that the Gasoline and Oil Inspection Division, now in the Department of Agriculture, shall be transferred to the Motor Vehicle Division of the Department of Revenue. The analytical work is to be continued in the laboratory of the Department of Agriculture as at present.

13. We recommend that the Department of Weights and Measures now in the Department of Agriculture shall be transferred to the Motor Vehicle Division of the Department of Revenue.

14. We recommend that the State Highway Patrol shall be transferred from the Highway Department to the Motor Vehicle Division of the Department of Revenue and that in addition to their other duties, the Highway Patrol shall be required to perform the duties of gasoline and oil inspectors, and the inspection of weights and measures, and to assume the duties of the Theft Bureau and such other duties as may be assigned to them.

*Department of Public Instruction*

15. The Superintendent of Public Instruction as the administrative head of the educational department of the State is presumed to have the advice and assistance of the Board of Education, which under the laws of the State consist of the Council of State who are so engaged in other duties pertaining to their respective offices that they have little time to give to the consideration of the essential functions of this department. In this situation, a division called the Board of Equalization consisting of one member from each congressional district, the Superintendent of Public Instruction, and two members at large, has been set up as a body with certain powers and control over the school administration of the State, and your Committee recommend that the powers and duties of this Board of Equalization in connection with the conduct and administration of the public schools of the State, shall be somewhat enlarged, extended, and made more flexible to the end that greater economy may be effected and emergencies met in the administration of our Public School System.



16. That there shall be enacted legislation preventing "repeaters," that is, students who have finished and completed their course of public school education, from returning to or utilizing the public schools of the State for the purpose of acquiring additional or specialized educational training. Your committee is informed that this system of "repeaters" which has been permitted in the State adds to the public school cost approximately \$180,000 per year which should be used in the education and training of the children entitled to the same.

17. In the Department of Public Education, your Committee respectfully recommend that supervisors should be eliminated or reduced to a minimum and this could be done at a saving of \$30,000.00 per year.

18. Your Committee recommend that the appropriation for the conduct of the public schools shall be put under the control of the Advisory Budget Commission in the same manner as are all appropriations for the maintenance of all other departments and institutions of State government and that the educational bill of this session shall be so drawn as to permit all necessary economies to be effected in the administration of the same.

19. The Board of Equalization should be given power to fix and regulate the High Schools of the State and to fix the teaching load in the public schools and to lay down certain rules for the county superintendents. It is frequently more economical to transport high school students a few more miles where a sufficient number can be properly and economically instructed than it is to have and maintain high schools with a small attendance.

#### *State Library and Library Commission*

20. Your Committee recommend that the State Librarian shall be made the Director of the Library Commission thereby combining the two positions of State Librarian and Director of the Library Commission, without additional compensation, and thereby eliminating the salary of the Director of the Library Commission.

#### *Board of Charities and Public Welfare*

21. Your committee find that there is much duplication between the Department of the Board of Charities and Public Welfare and the State Board of Health, and your Committee is of the opinion that many of the functions of both of these departments can be now suspended in the extreme necessity of the State, but we are of the opinion that the organizing and directing head of the State Board of Charities and Public Welfare should be preserved in order that it may function with the various county welfare officers, and your Committee recommend that this Department shall be coördinated with the State Board of Health and that only the head and a minimum of clerical help shall be preserved, and that its inspection functions shall be exercised by the present inspectors of the State Board of Health so far as they may be able to perform these duties, and that these two departments will so function under one department as to fully protect the health and welfare of the State and with great economy in the administration of each.

*Board of Health*

22. The State Board of Health has many valuable functions and we realize that this department is a technical one and the extent of any economies that might be instituted therein difficult of determination, but we recommend to the Committee on Appropriations for the adjustment thereof all such functions as are not immediately necessary to be retained for the preservation of the health of the State. In this department we find listed among other things 17 school dentists and 6 public health nurses; it would appear and does appear to the Committee that while these services are desirable in times of ability to pay therefor, they might be suspended or materially reduced without serious loss to the State in period of necessity, and we recommend that these be discontinued, the functions of which this Committee deem unnecessary in this emergency.

*Corporation Commission*

23. Your Committee recommend that the present set up of the Corporation Commission shall be abolished and that there shall be created a Commissioner of Public Utilities who shall administer the functions now performed by the Corporation Commission and such other functions as are assigned to him in the bill which your Committee has prepared and herewith submits for the establishment of this Commission. Your Committee is of the opinion that the great majority of the functions of the Corporation Commission can best be performed by one individual at the head thereof who shall be charged with full responsibility of protecting the interest of the citizens of the State from oppressive rates and compel efficient service. That whenever there should arise to be tried important questions or issues of fact as to the right to establish any rate or to make regulations which are resisted, then the Chief Justice of North Carolina shall assign two judges of the Superior Court to sit with the Public Utilities Commissioner and hear and determine all such questions as might be submitted for its consideration. This assures to the industries of the State and to the people of the State a proper and fair determination of their rights, and its cost of administration will be essentially less because the judges of the Superior Court are now paid by the State and could be spared for the period of such hearing without additional cost or expenses to the State, and your Committee is of the opinion that it will result in great saving as well as a more efficient administration of this department of government, and we recommend that this bill shall be adopted.

24. Your Committee recommend that the office and duties of the Securities Commissioner shall also be performed by the Public Utilities Commissioner without extra compensation.

*Department of Labor*

25. Your Committee recommend that the Department of Labor shall include the Department of Standards and Inspection and that the head of that department shall be dispensed with. We are advised that the present Act places the same in the Department of Labor and we recommend that the functions of the Director shall be performed by the Commissioner of Labor without extra compensation.



26. It is further recommended that the duties of the service officer of World War Veterans who has heretofore been stationed in Raleigh shall be performed by the Commissioner of Labor without additional compensation.

*Department of Conservation and Development*

27. Your Committee recommend that the appropriation to the Department of Conservation and Development shall be materially reduced and that the offices and functions now existing therein not immediately necessary for the preservation of the property belonging to the State and the enforcement of the laws shall be discontinued, and to this end the appropriation to this department during the next biennium shall not exceed the sum of Twenty-five Thousand (\$25,000.00) Dollars per annum.

*Department of Agriculture*

28. Your Committee recommend that the Savings and Loan Division of the Department of Agriculture shall be abolished.

29. Your Committee recommend that the officer known as the Publicity Specialist of the Department of Agriculture shall be dispensed with.

30. Your Committee recommend that the operation of the test and experimental farms of the Department of Agriculture shall be immediately discontinued and abandoned, and the experiments now proceeding thereon, if any, and all special and scientific equipment, if any, in use thereon, shall be turned over and delivered to the Experiment Station Department of State College at Raleigh, now a part of the consolidated University, and that the actual real estate and farm implements and teams shall be turned over to the control and management of the Department of Highways and Prisons to be used in production of supplies and provisions, and that no further appropriation shall be made therefor. All other live stock on these farms not necessary for the proper operation shall be transferred to the other State institutions carrying on agricultural operations, to be distributed under the direction of the Budget Bureau.

*Judicial Department*

31. Your Committee recommend that Section 3883 of the Consolidated Statutes shall be amended, reducing the salaries and compensation of the Chief Justice and of each of the Justices of the Supreme Court One Thousand (\$1,000.00) Dollars per annum.

32. Your Committee recommend that Section 3884 of the Consolidated Statutes shall be amended, reducing the salaries of each of the judges of the Superior Court and of the emergency judge One Thousand (\$1,000.00) Dollars per annum.

*Solicitors*

33. Your Committee recommend that the salaries of the solicitors of the Superior Court shall be reduced One Thousand (\$1,000.00) Dollars, fixing their salary at Thirty-five Hundred (\$3,500.00) Dollars per annum, and where any Solicitor prosecutes a docket in his district for more than twenty (20) weeks,

he shall be allowed additional compensation of One Hundred and Fifty (\$150.00) Dollars per week for his services.

34. Your Committee recommends that Section 3890-A of the Consolidated Statutes allowing the Solicitors additional compensation for expenses, shall be repealed.

#### *Highway Department*

35. Your Committee recommend that the Highway Department and the Department of State's Prison shall be consolidated into a department to be known as the Department of Highways and Prisons.

The Highway Department now has under its jurisdiction and control about forty-seven hundred prisoners which it is working upon the highways of the State. The Committee are of the opinion that it can well handle and control the twenty-eight hundred prisoners now in the State Prison and that in doing so and working the same upon the highways of the State and other public activities, there will result a great economy in this combined department.

That your Committee are informed that by the combining of these departments of Government, a large saving to the people of the State can be accomplished. For the purpose of accomplishing this recommendation, your Committee have caused to be prepared a bill combining the departments as above recommended which they recommend shall be passed.

36. Your Committee recommend that all new construction work on the highways shall be discontinued after the completion of the work now under contract excepting such as may be paid for entirely by the Federal Government.

#### *Educational Institutions*

37. That your Committee recommend that the consolidation of the Greater University shall be proceeded with without delay and that appropriations for duplicating functions shall be discontinued at an early date to the end that the purpose of the Legislature in the consolidation of these institutions shall be accomplished. We cannot pass this department without calling the attention of the General Assembly to the per capita cost to the State of these institutions which is set out and tabulated on page 109 of the report of the Budget Bureau, and we recommend that this per capita cost to the State should be materially reduced and steps should be taken to bring about this result.

#### *Charitable and Correctional Institutions*

38. There should be some method adopted that will reimburse the State for the cost and expense of patients in these institutions who are able to pay therefor and that the head of each institution should be held responsible for the failure to collect charges under the Pay Patients Act of 1925.

#### *Miscellaneous*

39. The cost to the State for printing numerous non-essential reports and bulletins of the various departments is far in excess of their value, and your Committee recommend that there should be a substantial reduction in the



printing of these reports and that the control of such printing shall be left to the Bureau of the Advisory Budget Commission. This will result in a large saving to the State in costs, and the necessary information can still be secured.

40. Your Committee find that in each department there is an annual travel cost of considerable proportions which is now based upon a mileage estimate and allowance of six cents per traveled mile by an employee of the departments. Your Committee recommend that this mileage cost shall be reduced to an amount not exceeding five cents per traveled mile.

41. Your Committee recommend that the operation of the State Fair be suspended and that no appropriation shall be made during this biennium by the State for the conduct of the State Fair and that no deficit or expense of any character for its conduct shall rest upon the State.

The foregoing is your Committee's report made after a careful study and investigation of the several departments affected. There are a number of other economies which may be effected but which your committee cannot embody in this report. Your Committee entered into this work with open minds and with the sole purpose of effecting all possible economies without impairing any efficiency in the function of the departments of our State government. In arriving at our conclusion, we have disregarded all personalities.

The report is the unanimous conclusion of the Committee and it is hoped that the members of the General Assembly will receive the report and adopt its recommendations. Our information and best advice is that if the recommendations hereinbefore set out are adopted and enacted into law that a saving of \$2,000,000.00, or more, will result to the tax payers of North Carolina.

Respectfully submitted,

L. I. MOORE, *Chairman*,

ERNEST GRAHAM, *Secretary*,

R. M. HANES,

R. G. CHERRY,

R. BRUCE ETHERIDGE,

T. C. BOWIE,

S. G. BRAWLEY,

*Joint Committee of Senate and House of  
Representatives on Reorganization.*

Senator Moore moves the acceptance of the report and that the printing of same be left to the discretion of the President.

The motion prevails.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

By Senators Moore and Hanes: S. B. 89, a bill to repeal chapter 147, Public Laws of 1929, relating to the appointment of an Executive Counsel.

Upon motion of Senator Moore, this bill, together with other reorganization bills to be introduced today, are to be placed upon the Calendar.

By Senators Moore and Hanes: S. B. 90, a bill to amend chapter 277 of the Laws of 1931, section 2, and abolishing the office of Director of Personnel and transferring the duties and functions of said office to the Budget Bureau.

Placed on the Calendar.

By Senators Moore and Hanes: S. B. 91, a bill to transfer the Local Government Commission to the office of the State Treasurer.

Placed upon the Calendar.

By Senators Moore and Hanes: S. B. 92, a bill to repeal chapter 157, Public Laws of 1927, chapter 267, Public Laws of 1929, and chapter 456, Public Laws of 1931, and any and all other laws relating to and providing for a Tax Commission.

Placed upon the Calendar.

By Senators Moore and Hanes: S. B. 93, a bill to abolish Corporation Commission, create office of Utilities Commissioner and to prescribe and define the functions, powers and duties of such Utilities Commissioner.

Placed upon the Calendar.

By Senators Moore and Hanes: S. B. 94, a bill to amend section 3883 of Consolidated Statutes and reducing the salaries and compensation of the Justices of the Supreme Court.

Placed upon the Calendar.

By Senators Moore and Hanes: S. B. 95, a bill to amend section 2884 of Consolidated Statutes and reducing salaries of the Judges of the Superior Court.

Placed upon the Calendar.

By Senators Moore and Hanes: S. B. 96, a bill to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto; chapter 130 of Consolidated Statutes and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission.

Placed upon the Calendar.

By Senators Moore and Hanes: S. B. 97, a bill to amend section 3890 of Consolidated Statutes of North Carolina and reducing the salaries of solicitors of the Superior Court.

Placed upon the Calendar.

Senator Waynick moves reconsideration of the motion by which the bills of Senators Moore and Hanes, S. B. 89 to 97 inclusive were placed on the Calendar and that the bills be referred to Committees for consideration.

Senator Clement offers a substitute motion that the bills remain on the Calendar and be made a special order for Monday, January 30.

The substitute motion prevails and S. B. 89 to 97 inclusive are made a special order in order of introduction, Monday night, January 30.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 14, a bill to repeal chapter 161 of the Public Laws, of 1929, being an act to require advance notice of five days with respect to issuing marriage license.

Referred to Committee on Judiciary No. 2.



H. B. 41, a bill to repeal chapter 108, Public Local Laws of North Carolina, Session of 1899, relating to the office of cotton weigher for the City of Charlotte, and to abolish said office.

Referred to Committee on Counties, Cities and Towns.

H. B. 44, a bill to repeal chapter 199 of the Public Laws of 1893, relating to the meetings of the Board of County Commissioners of Mecklenburg County.

Referred to Committee on Counties, Cities and Towns.

H. B. 91, a bill to authorize the Mayor and Board of Aldermen of the Town of Waynesville to sell the chestnut and pulp timber on the Town Watershed.

Referred to Committee on Counties, Cities and Towns.

H. B. 155, a bill to amend section 65 of volume 3 of the Consolidated Statutes, relating to payment to clerk of sums not exceeding three hundred dollars due intestates, making the same apply to Wilson County.

Referred to Committee on Judiciary No. 1.

H. B. 163, a bill to amend section 3, chapter 26, Private Laws of 1905, as amended by section 2, chapter 189, Private Laws of 1915, relating to the number of aldermen for the town of Franklin in Macon County.

Referred to Committee on Counties, Cities, and Towns.

H. B. 62, a bill to repeal chapter 29, Private Laws, 1907, relating to the charter of the town of Whittier in Swain and Jackson Counties.

Referred to Committee on Judiciary No. 1.

H. B. 65, a bill to repeal chapter 461, of the Public Local Laws of 1931, being an act to appoint Edward D. Davis, Special Enforcement Officer for Warren County for a term of two years.

Referred to Committee on Counties, Cities and Towns.

H. B. 76, a bill to combine the tax collecting officers of Mecklenburg County and the City of Charlotte and the office of Treasurer of Mecklenburg County.

Referred to Committee on Finance.

H. R. 191, a joint resolution inviting attendance at the presentation of the portrait of Nathan O'Berry, late Treasurer of the State of North Carolina.

Upon motion of Senator Bland, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 24, a bill to authorize the State Highway Commission to reimburse the town of Newton for damages incident to highway bridge construction in said town.

The amendment offered by the Committee is adopted.

Passes its second and third readings and is ordered engrossed.

S. B. 30, a bill to amend sub-chapter II, entitled "Primary Elections," section 6023, of Consolidated Statutes, relating to fees for filing notice of candidacy by members of county boards of education.

Passes its second and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator Kirkpatrick the Senate adjourns until tomorrow morning at 10:00 o'clock.

## SIXTEENTH DAY

SENATE CHAMBER,

SATURDAY, January 21, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Dr. A. B. Hunter of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Dunagan, for the Committee on Counties, Cities and Towns.

S. B. 6, a bill to amend chapter 124 of the Private Laws of North Carolina, Session of 1929, relating to a civil service for employees of the City of Charlotte, with a favorable report.

S. B. 7, a bill to provide for the establishment of a civil service board for the rural policemen of Mecklenburg County, with a favorable report as amended.

S. B. 9, a bill to provide for the mauagement, supervision and improvement of the property, grounds and cemetery of the Providence Church, Graham, Alamance County, with a favorable report.

S. B. 82, a bill to amend chapter 42, Private Laws, Extra Session, 1924, relating to the time of meeting of the Town Council of the Town of Rutherfordton, with a favorable report.

## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed, and it is ordered sent to the House of Representatives:

S. B. 24, a bill to authorize the State Highway Commission to reimburse the Town of Newton for damages incident to highway bridge construction in said town.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Land: S. B. 99, a bill to amend chapter 124 of the Public Laws of North Carolina, Session 1927, governing the sale of lands of life tenants for reinvestment and for improving other unimproved real estate.

Referred to Committee on Judiciary No. 1.

By Senator Kirkpatrick: S. B. 100, a bill to prohibit the employment on any public works of any architect, engineer, designer, or draftsman interested in the manufacture or sale of any material to be used in such work.

Referred to Committee on Judiciary No. 1.



By Senator Bailey: S. B. 101, a bill to validate the official acts of George W. Hardison, a Notary Public of Washington County.

Referred to Committee on Judiciary No. 1.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 32, a bill relating to the superintendent of the County Convict Farm of Hertford County.

Referred to Committee on Penal Institutions.

H. B. 66, a bill relating to the appointment of tax collectors for Hertford County.

Referred to Committee on Finance.

H. B. 90, a bill to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County, to chapter 273, Public Laws, 1929, relating to the punishment of makers of worthless checks and to amend the said law.

Referred to Committee on Judiciary No. 1.

H. B. 97, a bill to regulate the selection of a county commissioner from each township in Hertford County.

Referred to Committee on Counties, Cities and Towns.

H. B. 110, a bill to prohibit the practicing of law by registers of deeds, being an amendment to chapter 4, section 198 of the Consolidated Statutes.

Referred to Committee on Judiciary No. 1.

H. B. 129, a bill to provide for service of process on all unincorporated organizations, associations and/or societies.

Referred to Committee on Judiciary No. 2.

H. B. 126, a bill to expedite the trial of criminal cases and to dispense with jury trial therein.

Referred to Committee on Judiciary No. 2.

H. B. 138, a bill to amend section 2, chapter 275, Public Local Laws, 1931, relating to the office of Constable of Asheville Township, Buncombe County.

Referred to Committee on Counties, Cities and Towns.

H. B. 154, a bill to validate certain acts of the board of commissioners of the town of Elkin.

Referred to Committee on Finance.

H. B. 183, a bill to adjust certain assessments for street improvements in the town of Scotland Neck.

Referred to Committee on Finance.

H. B. 184, a bill relating to the payment of assessments for street improvements in the town of Scotland Neck.

Referred to Committee on Finance.

H. B. 185, a bill relating to the payment of obligations to the town of Scotland Neck.

Referred to Committee on Finance.

H. B. 227, a bill to amend chapter 279, Public Local Laws of 1929, relative to the collection of taxes in Transylvania County.

Referred to Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 64, a bill to amend section 1 of chapter 317 of the Public Local Laws of 1931, being an act to make it unlawful to operate a filling station in Wilkes County and Stokes County on Sunday, between the hours of 10:00 a.m. and 12:00 p.m.

Passes its second and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator Patton the Senate adjourns to meet at 8:00 o'clock, Monday night.

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#### SEVENTEENTH DAY

SENATE CHAMBER,

MONDAY, January 23, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. W. McC. White, Presbyterian Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senator Mrs. E. L. McKee.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Long: S. B. 102, a bill to amend and re-write section 6618 of the Consolidated Statutes, relating to the revocation of licenses of physicians. Referred to Committee on Public Health.

By Senator Land: S. B. 103, a bill to amend chapter 366, Public Laws of 1931, so as to permit the continued use of 1932 license tags to July first, 1933, upon payment of semi-annual or quarterly license fees.

Referred to Committee on Finance.

By Senator Land: S. B. 104, a bill to amend chapter 380 of the Public Laws of 1931, relative to filling of vacancies in county boards of education.

Referred to Committee on Education.

By Senator Hinsdale: S. B. 105, a bill to regulate the practice of cosmetic art in the State of North Carolina.

Referred to Committee on Judiciary No. 1.



By Senator Kirkpatrick: S. B. 106, a bill to restore to the people the right to elect the commissioner of revenue.

Referred to Committee on Reorganization of State Government.

By Senator Kirkpatrick: S. B. 107, a bill to require a copy of the complaint in all civil actions to be served upon the defendant or his attorney.

Referred to Committee on Judiciary No. 2.

By Senator Walker: S. B. 108, a bill to amend chapter 122 and chapter 148 of the Public Laws of 1927, chapter 258 of the Public Laws of 1929, chapter 125 and chapter 235 of the Public Laws of 1931, relating to the regulation of motor trucks upon the public highways.

Referred to Committee on Public Roads.

By Senator Ingram: S. B. 102, a bill to amend section 6054 of the Consolidated Statutes, placing Randolph County under the operation of the State-wide Primary Law.

Referred to Committee on Election Laws.

By Senators Moore and Hanes: S. B. 110, a bill to transfer to Secretary of State the duties and functions of the office of secretary to the board of elections, and to amend chapter 97 of the Consolidated Statutes, particularly sections 5921 and 5922.

Upon motion of Senator Moore, the bill is placed upon the Calendar.

Upon motion of Senator McNeill of Cumberland, the bill is made a Special Order for January 30, 1933.

By Senators Moore and Hanes: S. B. 111, a bill to transfer the office of legislative reference librarian to the department of the Attorney General, and to amend section 6147 of Consolidated Statutes.

Upon motion of Senator Moore, the bill is placed upon the Calendar.

By Senators Moore and Hanes: S. B. 112, a bill to consolidate the State library and the library commission in one department, making the State librarian the director of the library commission.

Upon motion of Senator Moore, the bill is placed upon the Calendar.

Upon motion of Senator Hinsdale, the bill is made a Special Order for January 30, 1933.

By Senators Moore and Hanes: S. B. 113, a bill to provide for voluntary return by members of the Judiciary of a portion of their compensation.

Upon motion of Senator Moore, the bill is placed upon its immediate passage.

Senator Moore offers an amendment which is adopted.

Senator Clement offers an amendment which is adopted.

The bill as amended passes its second and third readings and is ordered engrossed.

By Senators Moore and Hanes: S. B. 114, a bill to limit highway work of the State Highway Commission or the highway department for the period of two years during the present biennium, and to require that no new construction shall be undertaken during said period.

Upon motion of Senator Moore, the bill is placed upon the Calendar.

Upon motion of Senator Kirkpatrick, the bill is made a Special Order for January 30, 1933.

## ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. R. 191, a joint resolution inviting attendance at the presentation of the portrait of Nathan O'Berry, late treasurer of the State of North Carolina.

S. B. 50, an act to amend chapter 100 of the Public Laws of 1927, relating to the creation, government, maintenance and operation of sanitary districts, and prescribing the powers of such districts.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 6, a bill to amend chapter 124 of the Private Laws of North Carolina, session of 1929, relating to a civil service for employees of the City of Charlotte.

Passes its second and third readings, and is ordered sent to the House of Representatives.

S. B. 7, a bill to provide for the establishment of a civil service board for the rural policeman of Mecklenburg County.

The amendment offered by the Committee is adopted.

The bill as amended passes its second and third readings, and is ordered engrossed.

S. B. 9, a bill to provide for the management, supervision and improvement of the property, grounds and cemetery of the Providence Church, Graham, Alamance County, North Carolina.

Passes its second and third readings, and is ordered sent to the House of Representatives.

H. B. 64, a bill to amend section 1 of chapter 16 of the Public Local Laws, 1927, relating to penalty for public drunkenness in Swain County.

Passes its second and third readings, and is ordered enrolled.

S. B. 82, a bill to amend chapter 42, Private Laws, extra session 1924, relating to the time of meeting of the town council of the Town of Rutherfordton.

Passes its second and third readings, and is ordered sent to the House of Representatives.

S. B. 56, a bill to repeal sections 3401 and 3402 of article 6, chapter 66 of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills.

Passes its second and third readings, and is ordered sent to the House of Representatives.

S. R. 84, a joint resolution for the appointment of a committee to attend the interstate conference of legislators at Washington, D. C., on February 3, 1933.

Senator Moore offers an amendment which is adopted.

The resolution as amended passes its second and third readings, and is ordered engrossed.



H. B. 59, a bill to regulate lobbying.

Senator Waynick offers an amendment.

Senator Dunagan offers an amendment.

Senator Land offers an amendment.

Senator Clement moves that action upon the bill be indefinitely postponed.

Upon this motion Senator Hinsdale calls for the ayes and noes.

The call is sustained.

The motion fails of adoption, ayes 18, noes 29, as follows:

Those voting in the affirmative are: Senators Aiken, Bell, Blackburn, Clement, Dempsey, Dunagan, Francis, Gwyn, Hairfield, Hanes, Hartsell, Kirkpatrick, McNeill of Cumberland, Noell, Patton, Rankin, Walker, Waynick—18.

Those voting in the negative are: Senators Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Corey, Cross, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Sparger, Summersill—29.

Upon the adoption of the amendment offered by Senator Land, Senator Hinsdale calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 20, noes 26, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Beatty, Bell, Bland, Clement, Dunagan, Francis, Grady, Gwyn, Hairfield, Hanes, Hartsell, Kirkpatrick, Land, Noell, Patton, Rankin, Walker, Waynick—20.

Those voting in the negative are: Senators Bagley, Blackburn, Blackstock, Blue, Boggan, Brown, Burgin, Clark, Corey, Cross, Dempsey, Fuller, Griffin of Chowan, Griffin of Franklin, Hinsdale, Ingram, Joyner, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Sparger, Summersill—26.

The amendment offered by Senator Dunagan fails of adoption.

The amendment offered by Senator Waynick fails of adoption.

Upon the passage of the bill upon its second reading, Senator Hinsdale calls for the ayes and noes.

The call is sustained.

The bill passes second reading, ayes 31, noes 16, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Corey, Cross, Dempsey, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Sparger, Summersill—31.

Those voting in the negative are: Senators Aiken, Bell, Blackburn, Clement, Dunagan, Francis, Gwyn, Hairfield, Hanes, Hartsell, Kirkpatrick, Noell, Patton, Rankin, Walker, Waynick—16.

Upon objection of Senator Dunagan to the third reading, the bill remains upon the Calendar.

Upon motion of Senator Patton, the Senate adjourns in honor of the late Judge Walker E. Moore to meet tomorrow at 12 o'clock m.

## EIGHTEENTH DAY

SENATE CHAMBER,

TUESDAY, January 24, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. L. S. Gaines, Hayes Barton Baptist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators John H. Folger and Rivers Johnson.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Long, for the Committee on Public Health:

S. B. 85, a bill to amend chapter 119, Public Laws of 1929, chapter 32, Public Laws, 1931, relating to barbers' license law, with a favorable report.

S. B. 98, a bill to provide for the election and organization of county boards of health, with a favorable report.

S. B. 102, a bill to amend and rewrite section 6618 of the Consolidated Statutes, relating to the revocation of licenses of physicians, with a favorable report.

By Senator Joyner, for the Committee on Penal Institutions:

S. B. 51, a bill to amend chapter 145 of Public Laws of 1931, so as to repeal the sixty day minimum term for commitment to district prison camps, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 101, a bill to validate the official acts of George W. Hardison, a notary public of Washington County, with a favorable report.

H. B. 62, a bill to repeal chapter 29, Private Laws, 1907, relating to the charter of the town of Whittier in Swain and Jackson Counties, with a favorable report.

H. B. 110, a bill to prohibit the practicing of law by registers of deeds, being an amendment to chapter 4, section 198 of the Consolidated Statutes, with a favorable report.

H. B. 155, a bill to amend section 65 (a) of volume three of the Consolidated Statutes, relating to payment to clerk of sums not exceeding three hundred dollars due intestates, making the same apply to Wilson County, with a favorable report.

H. B. 73, a bill to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony by wife against a husband in criminal prosecutions for the abandonment of children, with a favorable report.

By Senator Grady, for the Committee on Judiciary No. 2:



S. B. 61, a bill to amend the law in regard to the general county court of Alamance County, with a favorable report.

S. B. 62, a bill to amend chapter 697 of the Public Local Laws of 1913, relating to the term of office of the judge of the county court of Wayne County, with a favorable report.

S. B. 34, a bill to amend section 1443 of the Consolidated Statutes, relating to the courts of Cabarrus County, with a favorable report.

S. B. 65, a bill to exempt Wilkes and Yadkin Counties from the provisions of chapter 348, Public Local Laws, 1931, relating to the territorial jurisdiction of the recorders court of Elkin, Surry County, with a favorable report.

S. B. 107, a bill to require a copy of the complaint in all civil actions to be served upon the defendant or his attorney, with a favorable report.

H. B. 126, a bill to expedite the trial of criminal cases and to dispense with jury trial therein, with a favorable report as amended.

H. B. 129, a bill to provide for service of process on all unincorporated organizations, associations and/or societies, with a favorable report as amended.

H. B. 75, a bill relating to the holding of the superior courts of Davidson County, with a favorable report.

H. B. 14, a bill to repeal chapter 161 of the Public Laws of 1929, being "An act to require advance notice of five days with respect to issuing marriage licenses," with a favorable report.

#### ENGROSSED BILLS

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Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and are ordered sent to the House of Representatives.

S. B. 7, a bill to provide for the establishment of a civil service board for the rural policemen of Mecklenburg County.

S. R. 84, a joint resolution for the appointment of a committee to attend the interstate conference of legislators at Washington, D. C., on February 3, 1933.

S. B. 113, a bill to provide for voluntary return by members of the judiciary of a portion of their compensation.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hill: S. B. 115, a bill to amend chapter 21 of the Consolidated Statutes, 1919, to make more effective the regulation of public utilities.

Referred to Committee on Corporations.

By Senator Bland: S. B. 116, a bill to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and its regulation, powers and government, including the admission of lawyers to practice, and their discipline and disbarment.

Referred to Committee on Judiciary No. 1.

By Senator Clement: S. B. 117, a bill amending chapter 372 of the Public Laws of 1931, relating to the method of abolishing special taxes in special tax districts, and providing that the same shall apply to Rowan County.

Referred to Committee on Finance.

By Senator Noell: S. B. 118, a bill to amend the charter of the town of Oxford, chapter 302, Private Laws of 1913, as amended.

Referred to Committee on Finance.

By Senator Ingram: S. B. 119, a bill to amend section 1681 of the Consolidated Statutes, relating to the tax on dogs.

Referred to Committee on Finance.

By Senators Ingram, Cross and others: S. B. 120, a bill to abolish the county board of education and the office of county superintendent of schools in each of the one hundred counties in the State of North Carolina, also the offices of rural supervisors and attendance officers in the State and counties, and transfer their powers, responsibilities and duties to thirty division boards of education, and thirty division superintendents of schools.

Referred to Committee on Education.

By Senator Blackstock: S. B. 121, a bill to amend chapter 120, Public Laws, 1929, the same being known as "The Workmen's Compensation Act," so as to provide that employers and employees of electric street railroads may come under the provisions thereof.

Referred to Committee on Insurance.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 64, an act to amend section one of chapter 16 of the Public-Local Laws of 1927, relating to penalty for public drunkenness in Swain County.

S. B. 14, an act to amend the vital statistics law as to registration of births and deaths, and to permit the State Board of Health to consolidate, abolish and create registration districts, and for other purposes.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 171, a bill relating to the nomination and election of commissioners of Bladen County.

Referred to Committee on Counties, Cities and Towns.

H. B. 189, a bill to amend chapter 88, Public Laws, 1915, relating to eradication of hog cholera in Wilson County.

Referred to Committee on Public Health.

H. B. 193, a bill to amend chapter 88, Private Laws, 1923, reenacting sections one and two thereof, validating the tax levies of 1931 and 1932, and validating the election of certain officers of the town of Gatesville.

Referred to Committee on Finance.



H. B. 204, a bill to consolidate the collection of current and delinquent taxes now collected by the sheriff and register of deeds of Robeson County by the appointment of a revenue and tax assistant to the county manager.

Referred to Committee on Finance.

H. B. 212, a bill to provide for the office of tax collector and to fix the salaries of officers and validate the tax sales of land in Wayne County.

Upon motion of Senator Bland, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 15, a bill to repeal chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry and providing for the physical examination of applicants."

Referred to Committee on Judiciary No. 1.

H. B. 105, a bill to amend chapter 463 of the Public Local Laws, 1931, relating to the salary of the auditor of Cleveland County.

Referred to Committee on Salaries and Fees.

H. B. 159, a bill to repeal chapter 430 of the Public Local Laws, 1931, relating to tax commission in Yancey County.

Referred to Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 59, a bill to regulate lobbying.

Senator Hill offers an amendment which fails of adoption.

Senator Patton offers an amendment which fails of adoption.

Senator Hinsdale calls for the ayes and noes upon the passage of the bill on its third reading.

The call is sustained.

The bill passes third reading, ayes 33, noes 17, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Corey, Cross, Dempsey, Efird, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hill, Hinsdale, Ingram, Joyner, Land, Long, McLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Sparger, Summersill—33.

Those voting in the negative are: Senators Aiken, Bell, Blackburn, Clement, Dunagan, Francis, Greene, Gwyn, Hairfield, Hanes, Hartsell, Kirkpatrick, Noell, Patton, Rankin, Walker, Waynick—17.

S. B. 111, a bill to transfer the office of legislative reference librarian to the department of the Attorney General and to amend section 6147 of the Consolidated Statutes.

Passes its second and third readings and is ordered sent to the House of Representatives.

Senator Patton moves that S. B. 93, a bill to abolish Corporation Commission, create office of Utilities Commissioner and to prescribe and define the functions, powers and duties of such Utilities Commissioner, be taken from the Calendar and referred to one of the Judiciary Committees.

Senator MacLean offers a substitute motion that the bill be referred to the Special Committee on Reorganization of State Government.

Senator Kirkpatrick calls for the ayes and noes upon this motion.

The call fails to be supported by one-fifth of the members present.

The substitute motion prevails.

Upon motion of Senator Hinsdale, S. B. 112, a bill to consolidate the State library and the library commission in one department, making the State librarian the director of the library commission, is taken from the Calendar and referred to Committee on Reorganization of State Government.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow at 12 o'clock m.

## NINETEENTH DAY

SENATE CHAMBER,

WEDNESDAY, January 25, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. T. S. Clarkson, Episcopal Church of Smithfield, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators James of Richmond County and A. Turner Grant.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 45, a bill to amend chapter 212, Public Laws of 1929, relating to the salary of tax collector in Haywood County, with a favorable report.

H. B. 187, a bill to authorize the board of commissioners of Robeson County to fix, raise, lower or adjust salaries of county officials and subordinates in accordance with changing economic conditions and for efficiency, with a favorable report.

H. B. 63, a bill to amend chapter 329, Public Laws, 1925, relating to salary of the chairman of board of county commissioners and the sheriff of Swain County, with an unfavorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 41, a bill to repeal chapter 108, Public Local Laws of North Carolina, session of 1899, relating to the office of cotton weigher for the city of Charlotte, and to abolish said office, with a favorable report.

H. B. 44, a bill to repeal chapter 199 of the Public Laws of 1893, relating to the meetings of the board of county commissioners of Mecklenburg County, with a favorable report.



H. B. 65, a bill to repeal chapter 461 of Public Local Laws of 1931, being "An Act to appoint Edward D. Davis, special enforcement officer for Warren County for a term of two years," with a favorable report.

H. B. 91, a bill to authorize the mayor and board of Waynesville to sell the chestnut and pulp timber on the town water shed, with a favorable report.

H. B. 163, a bill to amend section three, chapter twenty-six, Private Laws of 1905, as amended by section two, chapter 189, Private Laws of 1915, relating to the number of aldermen for the town of Franklin in Macon County, with a favorable report.

By Senator Rankin, for the Committee on Finance:

S. B. 71, a bill to amend chapter 338, section 1, Public Laws of 1931, relating to the awarding of contracts by boards or officers of local governmental units until competitive bids are received therefor, with a favorable report.

H. B. 154, a bill to validate certain acts of the board of commissioners of the town of Elkin, with a favorable report.

By Senator Gwyn, for the Senate Committee acting jointly with the House Committee on Public Roads:

S. B. 21, a bill to regulate transportation by motor vehicle over public highways of the State and compel their contribution toward the maintenance and upkeep of the highways, with an unfavorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Moore and Hanes: S. B. 122, a bill to discontinue the operation of the test farms and to transfer the same to the highway and prison commission to be used in the production of supplies and provisions for that department or for the use of other penal or charitable institutions of the State.

Referred to Committee on Reorganization of State Government.

By Senators Moore and Hanes: S. B. 123, a bill to limit highway work of the State Highway Commission or the highway department for the period of two years during the present biennium and to require that no new construction shall be undertaken during said period.

Referred to Committee on Reorganization of State Government.

By Senators Moore and Hanes: S. B. 124, a bill to transfer the illuminating oil, gasoline and lubricating oil inspection division to the department of revenue, and to place upon the commissioner of revenue all the duties and functions now performed by the board of agriculture, and to utilize and require the highway patrol under the direction of the department of revenue to perform the duties of inspectors for this department.

Referred to Committee on Reorganization of State Government.

By Senators Moore and Hanes: S. B. 125, a bill to transfer the State highway patrol from the highway department to the department of revenue and to require said patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381.

Referred to Committee on Reorganization of State Government.

By Senator Patton: S. B. 126, a bill to authorize county commissioners of Clay County, town council of the town of Hayesville, North Carolina, and W. L. Matheson, ex-clerk Clay County Superior Court to write off their deposits an equal amount to all other depositors of the Clay County Bank.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Griffin of Chowan: S. B. 127, a bill to validate certain sales of land for taxes and certificates issued in pursuance thereof.

Referred to Committee on Finance.

By Senator McNeill of Cumberland: S. B. 128, a bill to authorize, empower and direct the sheriff and/or tax collector of Cumberland County to accept county vouchers in payment of taxes.

Upon motion of Senator McNeill of Cumberland, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Walker: S. B. 129, a bill to amend chapter 234 of the Public Local Laws of North Carolina of 1921, relating to the salary of the clerk of the superior court of Alamance County.

Referred to Committee on Salaries and Fees.

By Senator Bland: S. B. 130, a bill relating to the election of justices of the peace for the County of Wayne.

Referred to Committee on Justices of the Peace.

By Senator Bell: S. B. 131, a bill to validate certain sales of real and personal property made by sheriffs under execution.

Referred to Committee on Finance.

By Senator McNeill of Ashe: S. B. 132, a bill to repeal any and all acts providing for, or permitting attorney's fees in tax foreclosure suits, and to require county accountants to handle and conduct such tax foreclosure suits.

Referred to Committee on Judiciary No. 2.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 55, a bill regulating the hours of work for women.

Referred to Committee on Judiciary No. 1.

#### ENROLLED BILLS

Senator Eflord, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 59, an act to regulate lobbying.

H. B. 212, an act to provide for the office of tax collector, and to fix the salaries of officers, and validate tax sales of land in Wayne County.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 34, a bill to amend section 1443 of the Consolidated Statutes, relating to the courts of Cabarrus County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 61, a bill to amend the law in regard to the general county court of Alamance County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 62, a bill to amend chapter 697 of the Public Local Laws of 1913, relating to the term of office of the judge of the county court of Wayne County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 65, a bill to exempt Wilkes and Yadkin Counties from the provision of chapter 348, Public Local Laws, 1931, relating to the territorial jurisdiction of the recorders court of Elkin, Surry County.

Upon motion of Senator Sparger the bill is re-referred to the Committee on Judiciary No. 2.

S. B. 101, a bill to validate the official acts of George W. Hardison, a notary public of Washington County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 62, a bill to repeal chapter 29, Private Laws, 1907, relating to the charter of the town of Whittier in Swain and Jackson Counties.

Passes its second and third readings and is ordered enrolled.

H. B. 75, a bill relating to the holding of the superior courts of Davidson County.

Passes its second and third readings and is ordered enrolled.

H. B. 155, a bill to amend section 65 (a) of volume three of the Consolidated Statutes, relating to payment to clerk of sums not exceeding three hundred dollars due intestates, making the same apply to Wilson County.

Passes its second and third readings and is ordered enrolled.

S. B. 51, a bill to amend chapter 145 of Public Laws of 1931, so as to repeal the sixty day minimum term for commitment to district prison camps.

Senator Bailey offers an amendment.

Senator Hill moves that the bill be recommitted to the Committee on Public Roads.

The motion fails of adoption.

The amendment offered by Sator Bailey is adopted.

Senator Burgin offers an amendment which fails of adoption.

The bill as amended passes its second and third readings and is ordered engrossed.

S. B. 98, a bill to provide for the election and organization of county boards of health.

Senator Bailey offers an amendment.

Senator Corey offers an amendment.

Senator Dempsey offers an amendment.

Upon motion of Senator Long, the bill is re-referred to the Committee on Public Health.

S. B. 102, a bill to amend and rewrite section 6618 of the Consolidated Statutes, relating to the revocation of licenses of physicians.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 14, a bill to repeal chapter 161 of the Public Laws of 1929, being "An act to require advance notice of five days with respect to issuing marriage license."

Passes its second and third readings and is ordered enrolled.

H. B. 73, a bill to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony by wife against a husband in criminal prosecutions for the abandonment of children.

Passes its second and third readings and is ordered enrolled.

H. B. 110, a bill to prohibit the practicing of law by registers of deeds, being an amendment to chapter 4, section 198 of the Consolidated Statutes.

Passes its second and third readings and is ordered enrolled.

H. B. 126, a bill to expedite the trial of criminal cases, and to dispense with jury trial therein.

The amendment offered by the Committee is adopted.

The bill as amended passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 129, a bill to provide for service of process on all unincorporated organizations, associations, and/or societies.

The amendment offered by the Committee is adopted.

The bill as amended passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

Upon motion of Senator Blue, the Senate adjourns to meet tomorrow at 12 o'clock m.

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## TWENTIETH DAY

SENATE CHAMBER,

THURSDAY, January 26, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Isaac W. Hughes, Episcopal Church of Henderson, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators Walter Powell, A. C. Gay, J. R. Baggett and Arthur Ross.



## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator MacLean, for the Committee on Education:

S. B. 35, a bill to amend section 12½ of chapter 430, Public Laws 1931, relating to summer school requirements for teachers, with a favorable report.

By Senator Hanes, for the Committee on Insurance.

S. B. 66, a bill to amend chapter 93, Public Laws 1929, relating to assessment plan of certain insurance companies, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 49, a bill to prohibit the appointment of receivers for building and loan associations without supervisory authority joining in petition or motion, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 77, a bill to provide for the appointment of guardians of the estate under certain conditions, with a favorable report.

H. B. 90, a bill to add Davidson, Anson, Carteret, Cumberland, Davie, Forsyth, Harnett, Hoke, Lee, Moore and Wayne Counties to chapter 273, Public Laws 1929, relating to the punishment of makers of worthless checks and to amend the said law, with a favorable report.

## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and are sent to the House of Representatives.

S. B. 51, a bill to amend chapter 145 of Public Laws of 1931, so as to repeal the sixty day minimum term for commitment to district prison camps.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Dempsey: S. B. 133, a bill to amend the North Carolina Workmen's Compensation Act in order that said act and the operation thereof shall be completely within the department of labor.

Referred to Committee on Insurance.

By Senator Brown: S. B. 134, a bill to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks and narcotics and persons insane.

Referred to Committee on Public Health.

By Senator Patton: S. B. 135, a bill relating to foreclosures of mortgages or deeds of trust in Macon County.

Referred to Committee on Judiciary No. 1.

## ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 14, an act to repeal chapter 161 of the Public Laws of 1929, being "An act to require advance notice of five days with respect to issuing marriage license."

H. B. 62, an act to repeal chapter 29, Private Laws 1907, relating to the charter of the town of Whittier in Swain and Jackson counties.

H. B. 73, an act to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony of wife against a husband in criminal prosecutions for the abandonment of children.

H. B. 75, an act relating to the holding of the Superior Courts of Davidson County.

H. B. 110, an act to prohibit the practicing of law by registers of deeds, being an amendment to chapter 4, section 198, of the Consolidated Statutes.

H. B. 155, an act to amend section 65 (a) of volume 3 of the Consolidated Statutes, relating to payment to clerk of sums not exceeding \$300.00 due intestates, making the same apply to Wilson County.

S. B. 5, an act to limit the powers of justices of the peace and constables of Mecklenburg County, in the exercise of their offices.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. R. 116, a joint resolution requesting congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the states, and that the Congress balance its budget without further increase in the tax levies.

Referred to Committee on Finance.

H. B. 258, a bill to authorize, empower and direct the sheriff and tax collector of Cumberland County to accept county vouchers in payment of taxes.

Referred to Committee on Finance.

H. B. 278, a bill to amend section 3907 of the Consolidated Statutes of 1919, relating to fees of register of deeds in Scotland County.

Referred to Committee on Salaries and Fees.

H. B. 21, a bill to validate certain conveyances executed in Surry County, prior to January 1, 1933.

Referred to Committee on Judiciary No. 2.

H. B. 27, a bill to establish a law library in Haywood County.

Upon motion of Senator Francis, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 72, a bill to prohibit the taking of shad fish from the Atlantic Ocean along the borders of Brunswick, New Hanover, Pender and Onslow Counties.

Upon motion of Senator Brown, the bill is placed upon its immediate readings.

Passes second and third readings and is ordered enrolled.



H. B. 266, a bill to clarify the statutes, providing that stockholders of closed banks shall be required to pay only one stock assessment.

Referred to Committee on Banks and Banking.

S. R. 84, a joint resolution for the appointment of a committee to attend the interstate conference of legislators at Washington, D. C., on February 3, 1933, for concurrence in the House amendment.

Placed upon the Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 41, a bill to repeal chapter 108, Public Local Laws of North Carolina, session of 1899, relating to the office of cotton weigher for the city of Charlotte, and to abolish said office.

Passes its second and third readings and is ordered enrolled.

H. B. 44, a bill to repeal chapter 199 of the Public Laws of 1895, relating to the meetings of the board of county commissioners of Mecklenburg County.

Passes its second and third readings and is ordered enrolled.

H. B. 45, a bill to amend chapter 212, Public Local Laws of 1929, relating to the salary of tax collector in Haywood County.

Passes its second and third readings and is ordered enrolled.

H. B. 65, a bill to repeal chapter 461 of the Public Local Laws of 1931, being "An act to appoint Edward D. Davis special enforcement officer for Warren County for a term of two years."

Passes its second and third readings and is ordered enrolled.

H. B. 91, a bill to authorize the mayor and board of aldermen of the town of Waynesville to sell the chestnut and pulp timber on the town watershed.

Passes its second and third readings and is ordered enrolled.

H. B. 154, a bill to validate certain acts of the board of commissioners of the town of Elkin.

Passes its second and third readings and is ordered enrolled.

H. B. 163, a bill to amend section 3, chapter 26, Private Laws of 1905, as amended by section 2, chapter 189, Private Laws of 1915, relating to the number of aldermen for the town of Franklin in Macon County.

Passes its second and third readings and is ordered enrolled.

H. B. 187, a bill to authorize the board of commissioners of Robeson County to fix, raise, lower or adjust salaries of county officials and subordinates in accordance with changing economic conditions, and for efficiency.

Passes its second and third readings and is ordered enrolled.

S. B. 71, a bill to amend chapter 338, section 1, Public Laws of 1931, relating to the awarding of contracts by boards or officers of local governmental units until competitive bids are received therefor.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 85, a bill to amend chapter 119, Public Laws 1929, and chapter 32, Public Laws 1931, relating to State Barbers' License Law.

Senator Hinsdale offers an amendment.

Upon motion of Senator Patton, action on the bill is deferred and the bill remains on the Calendar.

S. B. 107, a bill to require a copy of the complaint in all civil actions to be served upon the defendant or his attorney.

Senator Kirkpatrick offers an amendment which is adopted.

The bill as amended passes its second and third readings and is ordered engrossed.

Senator Patton moves that S. B. 60, a bill to repeal chapter 120 of the Public Laws of 1929, the same being known as the Workmen's Compensation Act, be taken from the Committee on Insurance and be re-referred to a Judiciary Committee.

The motion fails of adoption.

Upon motion of Senator Blue, the Senate adjourns to meet tomorrow at 12 o'clock m.

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## TWENTY-FIRST DAY

SENATE CHAMBER,

FRIDAY, January 27, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. A. B. Hunter of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to H. B. Parker and L. T. Hartsell, Sr., Ex-Senators.

The courtesies of the gallery are extended to Miss Edwards and her Cicero class of Sanford, N. C.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

H. B. 204, a bill to consolidate the collection of current and delinquent taxes now collected by the sheriff and register of deeds of Robeson County by the appointment of a revenue and tax assistant to the county manager, with a favorable report.

By Senator McDuffee, for the Committee on Propositions and Grievances:

H. B. 36, a bill to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Lincoln County, with a favorable report.

S. B. 67, a bill to repeal chapter 243 of the Public Local Laws of 1925, relating to the sale and use of fireworks and toy pistols in Mitchell, Madison, Yancey, Avery and Macon Counties, with a favorable report.



By Senator Gwyn, for the Committee on Public Roads:

S. B. 26, a bill relating to the solicitation of transportation in motor vehicles, with an unfavorable report.

By Senator Hill, for the Committee on Banks and Banking:

S. B. 3, a bill to prohibit banks accepting deposits from selling shares, stocks, bonds or debentures in foreign corporations, associations, partnership or trusts, or acting as agent in the sale thereof, with an unfavorable report.

H. B. 266, a bill to clarify the statutes providing that stockholders of closed banks shall be required to pay only one stock assessment, with a favorable report as amended.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 107, a bill to require a copy of the complaint in all civil actions to be served upon the defendant or his attorney.

Senator Kirkpatrick moves that the vote by which the bill passed its third reading be reconsidered.

The motion prevails.

Upon motion of Senator Kirkpatrick, the bill is laid upon the table.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Francis: S. B. 136, a bill to provide the time in which real estate sold for taxes or assessments by Haywood, Jackson and Transylvania Counties and/or any municipality therein may be redeemed.

Referred to Committee on Finance.

By Senator Francis: S. B. 137, a bill fixing the situs and providing for the taxation of shares of stock in foreign corporations.

Referred to Committee on Finance.

By Senator Joyner: S. B. 138, a bill to prohibit the sale of convict goods.

Referred to Committee on Penal Institutions.

By Senator Kirkpatrick: S. B. 139, a bill to amend the Public Laws of 1917, chapter 136, as set forth in article 19, Consolidated Statutes, part 2, plan "B," relating to municipal corporations.

Referred to Committee on Judiciary No. 2.

By Senator McNeill of Cumberland: S. B. 140, a bill to amend section 1013 of the North Carolina Code.

Referred to Committee on Judiciary No. 1.

By Senator Grady: S. B. 141, a bill to amend chapter 116 of the Private Laws of 1915, being an act to amend the charter of the town of Selma.

Referred to committee on Judiciary No. 2.

By Senator Grady: S. B. 142, a bill to amend chapter 208 of the Public Laws of 1929, amending section 1443 of Consolidated Statutes, relating to terms of court of Johnston County.

Referred to Committee on Courts and Judicial Districts.

By Senator Long: S. B. 143, a bill to authorize the commissioner of banks to pay over certain funds of the Scotland Neck Bank held by him for distribution to the depositors of said bank.

Referred to Committee on Banks and Banking.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State.

S. B. 45, an act to amend section 5192 of the Consolidated Statutes of North Carolina relating to license fees building and loan association agents.

S. B. 46, an act to amend action 5184 of the Consolidated Statutes of North Carolina relating to building and loan associations.

S. B. 47, an act to amend chapter 93, of the Consolidated Statutes of North Carolina, sub-chapter 1, relating to building and loan associations.

S. B. 48, "an act authorizing building and loan associations of this state to become members and purchase stock of the Federal Home Loan Bank."

S. R. 57, a joint resolution providing for the celebration of the centennial of the laying of the cornerstone of the North Carolina State Capitol.

S. B. 111, an act to transfer the office of legislative reference librarian to the department of the Attorney General and to amend section 6147 of Consolidated Statutes.

S. B. 113, an act to provide for voluntary return by members of the judiciary of a portion of their compensation.

H. B. 41, an act to repeal chapter 108, Public-Local Laws of North Carolina, session of 1899, relating to the office of cotton weigher for the city of Charlotte, and to abolish said office.

H. B. 44, an act to repeal chapter 199 of the Public Laws of 1893, relating to the meetings of the board of county commissioners of Mecklenburg County.

H. B. 126, an act to expedite the trial of criminal cases and to dispense with jury trial therein.

H. B. 45, an act to amend chapter 212, Public-Local Laws of 1929, relating to the salary of tax collector in Haywood County.

H. B. 65, an act to repeal chapter 461 of the Public-Local Laws of 1931, being an act to appoint Edward D. Davis special enforcement officer for Warren County for a term of two years.

H. B. 91, an act to authorize the mayor and board of aldermen of the town of Waynesville, to sell the chestnut and pulp timber on the town water shed.

H. B. 129, an act to provide for service of process on all unincorporated organizations, associations and/or societies.

H. B. 154, an act to validate certain acts of the board of commissioners of the town of Elkin.

H. B. 163, an act to amend section 3, chapter 26, Private Laws of 1905, as amended by section 2, chapter 189, Private Laws of 1915, relating to the number of aldermen for the town of Franklin in Macon County.

H. B. 187, an act to authorize the board of commissioners of Robeson County to fix, raise, lower or adjust salaries of county officials and subordinates in accordance with changing economic conditions and for efficiency.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 78, a bill to abolish deficiency judgments upon the foreclosure of mortgages or deeds of trust to secure the unpaid balance of purchase price of real property.

Referred to Committee on Judiciary No. 1.

H. B. 85, a bill to make the office of the solicitor of the Recorders Court of Lincoln County elective.

Referred to Committee on Courts and Judicial Districts.

H. B. 178, a bill to provide for the better collection of dog and poll taxes in Currituck.

Referred to Committee on Finance.

H. B. 182, a bill to limit the liability of Cleveland County for court costs.

Referred to Committee on Courts and Judicial Districts.

H. B. 210, a bill to amend section 1443 of the Consolidated Statutes, relating to the terms of court for Caswell County and Rockingham County.

Referred to Committee on Courts and Judicial Districts.

H. B. 223, a bill to amend section 6360 of the Consolidated Statutes of 1919 to provide for supervision of certain Assessment Life Insurance Associations.

Referred to Committee on Insurance.

H. B. 24, a bill relating to and limiting, leasing of oyster beds in Hyde County.

Referred to Committee on Commercial Fisheries.

H. B. 43, a bill for the relief of Mecklenburg County and for the admission of David Natter to the State Hospital for the Insane at Morganton, North Carolina.

Upon motion of Senator Kirkpatrick the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 48, a bill to amend section 2334 of the Consolidated Statutes, relating to the grand jury for Union County.

Referred to Committee on Judiciary No. 2.

S. B. 44, a bill to amend section 5177 of the Consolidated Statutes of North Carolina, relating to building and loan associations, for concurrence in the House amendment.

Upon motion of Senator Cross, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. R. 312, a joint resolution of the House of Representatives, requiring T. A. Wilson, Industrial Commissioner, to furnish information relating to the cost of preparing and mailing letter of January 23, 1933, signed by him seeking to create propaganda against the abolition of our Industrial Commission.

Senator Ingram moves that the rules be suspended and the resolution placed upon its immediate readings.

Senator Hinsdale offers a substitute motion, that the bill be referred to a proper Committee.

Upon Senator Hinsdale's motion, Senator McNeill of Ashe calls for the ayes and noes.

The call is sustained.

The motion is lost, ayes 19, noes 28, as follows:

Those voting in the affirmative are: Senators Bagley, Beatty, Bland, Blue, Boggan, Clark, Cross, Dempsey, Fuller, Griffin of Chowan, Griffin of Franklin, Hanes, Hill, Hinsdale, Joyner, Long, McNeill of Cumberland, Rankin, Walker—19.

Those voting in the negative are: Senators Aiken, Bailey, Barker, Bell, Blackburn, Blackstock, Brown, Burgin, Clement, Corey, Dunnagan, Efird, Francis, Grady, Greene, Gwyn, Hairfield, Hartsell, Ingram, Kirkpatrick, McBryde, McDuffee, McNeill of Ashe, Moore, Noel, Patton, Summersill, Waynick—28.

Upon Senator Ingram's motion, Senator Clark calls for the ayes and noes.

The call is sustained.

The motion is lost, ayes 30, noes 18, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Blackburn, Blackstock, Brown, Burgin, Clement, Corey, Dempsey, Dunagan, Efird, Francis, Grady, Greene, Griffin of Chowan, Gwyn, Hairfield, Hartsell, Ingram, Kirkpatrick, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Summersill, Waynick—30.

Those voting in the negative are: Senators Beatty, Bell, Bland, Blue, Boggan, Clark, Cross, Fuller, Griffin of Franklin, Hanes, Hill, Hinsdale, Joyner, Long, McNeill of Cumberland, Rankin, Sparger, Walker—18.

Upon motion of Senator Hanes, the bill is referred to Committee on Propositions and Grievances.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 204, a bill to consolidate the collection of current and delinquent taxes now collected by the sheriff and register of deeds of Robeson County by the appointment of a revenue and tax assistant to the county manager.

Upon motion of Senator Fuller, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 266, a bill to clarify the statutes providing that stockholders of closed banks shall be required to pay only one stock assessment.

Upon motion of Senator Blackstock, the rules are suspended and the bill is placed upon its immediate readings.

The amendment offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 90, a bill to add Davidson County, Anson County, Carteret, Cumberland, Davie, Forsyth, Harnett, Hoke, Lee, Moore, Wayne, to chapter 273, Public Laws, 1929, relating to the punishment of makers of worthless checks, and to amend the said law.

Senator Sparger offers an amendment.

Senator Walker offers an amendment.



Senator Griffin of Franklin offers an amendment.

Upon motion of Senator Burgin the bill remains on the Calendar.

Upon motion of Senator McNeill of Cumberland, H. B. 258, a bill to authorize, empower and direct the sheriff and/or tax collector of Cumberland County to accept county vouchers in payment of taxes, is recalled from the Committee and placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

S. B. 35, a bill to amend section 12½ of chapter 430, Public Laws, 1931, relating to summer school requirements for teachers.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 49, a bill to prohibit the appointment of receivers for building and loan associations without supervisory authority joining the petition or motion.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered engrossed.

S. B. 66, a bill to amend chapter 93 of the Public Laws of 1929, relating to assessment plan of certain insurance companies.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 77, a bill to provide for the appointment of guardians of the estate under certain conditions.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. R. 84, a joint resolution for the appointment of a committee to attend the interstate conference of legislators at Washington, D. C., on February 3, 1933.

Upon motion of Senator Moore, the Senate concurs in the House amendment and the resolution is ordered enrolled.

S. B. 85, a bill to amend chapter 119, Public Laws, 1929, and chapter 32, Public Laws, 1931, relating to State Barbers' License Law.

Senator Hinsdale offers an amendment which is adopted.

Passes its second and third readings and is ordered engrossed.

Upon motion of Senator Brown, H. B. 72, a bill to prohibit the taking of shad fish from the Atlantic Ocean along the borders of Brunswick, New Hanover, Pender and Onslow Counties, is recalled from the Enrolling Department.

Upon motion of Senator Brown, the vote by which the bill passed its third reading is reconsidered.

Upon motion of Senator Brown, the bill is re-referred to the Committee on Commercial Fisheries.

Senator Hill, for the Special Committee, requests and is granted one week additional time to give consideration to information concerning fiscal conditions of the State's Sub-Divisions of Government.

The President announces receipt of the report of Honorable A. J. Maxwell, Commissioner of Revenue, in compliance with H. R. 68, a joint resolution of the General Assembly of North Carolina for the purpose of ascertaining the status of the affairs of the Revenue Department, together with a letter accompanying the report, as follows:

January 27, 1933.

HONORABLE A. H. GRAHAM,  
*President of the Senate.*

HONORABLE R. L. HARRIS,  
*Speaker of the House of Representatives.*

*Gentlemen:*

In compliance with joint resolution bearing House No. 68, requiring the Department of Revenue to report on or before January 27th, "a detailed statement showing the names and amounts, and the reason for nonpayment, of each check in the Revenue Department unpaid, and all other items past due for sixty days or more, including gasoline taxes," I have the honor to submit such report herewith.

The resolution also invites "any explanation in regard to said matter," and I beg to submit the following explanatory comments with respect to the several classifications under which report is made:

#### *Unpaid Checks*

Under authority of statute and established custom uncertified checks have always been accepted in payment of taxes due the State. This means that there is a constant volume of checks moving through the department, totaling last year \$37,727,350. An average of about a thousand checks per day for every working day in the year clears through the department. Even in the most prosperous times the bad check problem was an ever-present difficulty. It has been greatly intensified by the depression and bank failures.

Notwithstanding the large number of checks paid to avoid inclusion in this report, the amount of bad checks shown as of January 26th, is slightly larger than on the first of the month, by reason of the large number of checks recently received for automobile and truck license plates. Taking the first day of this month, January 1, 1933, as more nearly representative, the bad checks held amounted to \$39,540.04, divided as follows:

Highway fund .....	\$20,037.01
General fund .....	19,503.03

Of this total sum, \$9,463.68 represents checks that were caught in clearing in failed banks, after they had been charged to the accounts of the makers and stamped "paid." These checks represent a preferred claim against the assets of such failed banks, and presumably will be paid in full by their receivers. Proper claim has been filed in each case, with notice to makers of recourse upon them if claims are not liquidated in full by receivers. This course is followed on advice of the Attorney General's department. During the period of bank failures a large volume of checks went bad, through no fault of the makers, before reaching this preferred status. After deducting these preferred claims on checks caught in clearing in failed banks the amount of bad checks on hand January 1st was about equal, proportioned to volume of collections, to the amount on hand at the beginning of my administration. That the amount is not vastly greater, after three years of depression, is evidence of the diligence and persistence



of our organization in handling this problem. I doubt if there is any private business in the State, handling an unrestricted line of uncertified checks, that can show a smaller percentage of uncollected checks.

There has been not only a heavy increase in volume of bad checks, but greatly increased difficulty in enforcing payment, notwithstanding drastic remedies provided by statute. More than half of the executions we serve through sheriffs' offices are ineffectual, presumably because no property can be found to satisfy them. Even the extreme remedy of criminal prosecution is becoming less effectual, as courts sometimes dismiss defendants without requiring payment of check for which indictment was made, and the Supreme Court gives admonition of restraint in foreclosures. This is not criticism; it simply means that every arm of the government is functioning with some recognition of existing hard conditions.

There is only one remedy for bad check difficulties, and that is a complete denial of acceptance of uncertified checks. Even if this drastic remedy had been in force in the period back of us we would have nearly ten thousand dollars of unpaid checks on hand through bank failures. A public collecting agency cannot consistently employ selective protective measures, as private business can. We cannot justifiably discriminate between persons.

In our own difficulties with this problem it is a well balanced question as to whether present practice should be changed. It is a convenience to three hundred thousand people to have their uncertified checks accepted. It is a convenience to the department and its field agents to handle and transmit checks instead of cash. It is increasingly expensive and burdensome to run down and collect the bad ones. Penalties collected on bad checks do not compensate for the expense and lossage. The department would welcome legislative instruction on this subject.

#### *Gasoline Taxes*

Gasoline taxes sixty days overdue on January 1st were \$234,612.88. There has never been a dollar of loss charged off in a gasoline account. Therefore, this is the total cumulative sum of overdue taxes in this account from the first enactment of our gasoline tax, after collecting ninety million dollars of revenue from it, and half of this total sum in the three years and ten months of the administration of the present Commissioner.

The handling of this account has been exceptionally difficult during the last two years. In memorandum to the Budget Bureau in December the Commissioner recommended important protective changes in our gasoline tax laws, and elaborated these recommendations in the report of the Tax Commission.

A fundamental difficulty has been the too liberal terms of credit authorized by statute before payment can be enforced. Interpretation of existing statutory provisions permits an average of sixty-five days after gasoline is received by a distributor before payment can be enforced. Under present tax rates this means an outstanding current liability at all times of between two and a half and three million dollars, distributed through more than a hundred licensed distributors. This too liberal basis of credit presented difficulties of management, with resulting delinquency, even in prosperous

times. In the period of economic breakdown we had the convergence of higher rates of tax, shrinkage in volume of sales, dealer lossage from price wars, and general bank failures with tie-up of deposits and loss of bank credit to both the dealers and their customers. The problem became greatly intensified by convergence of these conditions. More than a third of the total sum listed as overdue would be carried as current account, except for cancellation of license of many dealers, putting them on a tax-paid purchase basis, with resulting maturity of their entire accounts as overdue. Of the total number of delinquent gasoline accounts shown in this report only ten are operating as licensed dealers. As to all other dealers the amount shown as over-due represents their total liability to the State.

Accounts are not completely covered by bond protection. There is a statutory limitation of twenty thousands dollars of bond, when actual current liability in particular cases runs ten to thirty times as great as that, indicating a statutory purpose to rely in part upon financial responsibility of the distributor. The liability to the State constitutes a prior lien upon the property of the distributor, in addition to his bond; and for this reason there will be relatively small, if any, actual loss in final liquidation of these accounts.

A difficult phase of the problem has been that the same conditions that increased delinquency created a situation in which properties could not be sold at foreclosure for more than a fraction of fair value. These conditions have seemed to require the use of "the rule of reason" in handling these cases, from the standpoint of conserving the interests both of the State and of taxpayers, until private sale of properties can be arranged, or until delinquents can by partial payments bring their account within date. A number of such sales have been made, and wherever possible accounts are being gradually liquidated in installment payments.

Before the General Assembly convened the Commissioner of Revenue brought into conference the Attorney General, the Chairman and Counsel of the Highway Commission and the Commissioner of Agriculture with a view of presenting a composite bill to shorten time of payment of gasoline tax, to better protect its payment, to provide additional safeguards against evasion of the tax, and to insure the motorist of uncut gasoline from every station pump in the State. We expect to present such a bill for the consideration of the General Assembly, intended to provide complete protection of the integrity of this tax.

#### *Corporation Franchise Tax*

Corporation franchise taxes have come to closely rival the State income tax in volume. Collections under this schedule the last fiscal year were \$6,677,071. Only \$178,285.15 is delinquent at this time, which is as close as it has ever been collected at this date. Of this total sum \$142,385.42 is against corporations in receivership, with preferred claims properly filed with receivers. The most of other delinquent items are in the hands of sheriffs for enforced collection, and some of the items may have been paid to sheriffs at time of this report.



*Bus and Truck Franchise Tax*

The statement shows a total of \$29,813.97 sixty days overdue January first under this schedule. Some of the accounts stated will be varied by complete audit of the operators.

This has been an exceptionally difficult tax to handle during the last year, in part by reason of unprofitable operations and particularly for a reason that may be frankly stated, now that the General Assembly is in session and can correct a manifest legal difficulty with respect to this tax. There has been much litigation with respect to franchise or license taxes applied to interstate transportation of freight and passengers on highways. The trend of opinions became so definite against any tax of this character unless the proceeds were used to maintain the highways that the department was advised by the Attorney General that payment of the tax could not be enforced unless and until our franchise tax law was changed to place the revenue from this tax in the highway fund. For this reason the section levying this tax was omitted from the Budget Revenue bill, and a bill will be presented incorporating this tax in the motor vehicle law and transferring the revenue to the highway fund. The larger part of taxes delinquent under this schedule are on account of the percentage tax on interstate business.

*Inheritance Taxes*

The total sum of inheritance taxes assessed and uncollected at date of this report is \$64,095.94. A detailed list of these assessments is not included in this report for the reason that assessments are of a tentative character, and subject to important adjustments before final settlement. There are also important items of liability not included in the above figures which cannot be determined with respect to particular estates until Federal estates tax questions are settled.

*Schedule B Taxes*

Schedule B taxes are not assessed on reports such as are made with respect to income, franchise or inheritance taxes. Lists of parties presumed to be liable are built up for each schedule, but since there are many reasons, why liability may not apply in particular cases, such liability is determined as settlement is made, or as investigation is made by field representatives. It does not seem practical, therefore, and particularly on short notice, to set up a delinquent list under this schedule.

*Income Taxes*

The list of delinquent income taxes attached covers delinquency with respect to all amounts shown by reports to be due, including delinquency in meeting deferred payments, in the sum of \$7,443.03. Our assessment ledger shows additional assessments on January 1st of \$713,768.82. Additional assessments represent interpretation of liability upon some basis differing with the taxpayer. The taxpayer has stated his view of liability

in his report. On the other hand assessments made are of a tentative character, covering maximum of liability, construing doubtful questions in favor of the State. In many of these cases there is merit in each viewpoint, requiring patient consideration and adjustment. Many of them are held pending Federal decision upon the point in controversy. For illustration, one assessment of \$91,000 is awaiting decision of the Federal Board of Tax Appeals upon the question of a correct rate of depreciation on properties of power companies. For these reasons it has not seemed to me proper to include in this report as taxes overdue and unpaid an itemization of assessments not finally adjusted.

During the period of administration of the present Commissioner there has been assessed and collected additional income taxes in the sum of \$1,814,267.70, in addition to the \$713,768.82 additional assessments in process of adjustment. There has also been assessed and collected additional franchise taxes in the sum of \$188,751.27, or a total of \$2,003,018.97 of additionally assessed and collected taxes under these two schedules. These additional assessments and collections, together with important changes in our statute which resulted in additional collections of income tax last year of \$1,854,000, are responsible for the gratifying fact that our income tax revenue is holding up to the average of prosperous years, while the Federal government and many States are collecting about thirty-five per cent of their prosperity income tax revenue.

#### *Annual Report*

Experience with respect to this report suggests consideration of the value of incorporating in the Revenue Act provision requiring the Department to make annually, as of December 31st, a report to the Governor covering the scope anticipated in this joint resolution, such reports to be furnished biennially to the General Assembly. With such statutory notice, reports could be carefully built up in more complete form under each schedule each year; and the fact that the department was under legal compulsion to make such report of all delinquency would have a helpful and wholesome influence in reducing delinquency.

May I use this opportunity to invite consideration of the magnitude of the task of the State Department of Revenue, and its importance to our whole structure of government in the State? After three years of the depression it is collecting annually a larger stream of revenue than was collected in 1921 by every tax collecting agency in the State—State, county and municipal combined. Upon the successful functioning of this department depends the credit of the State, the solvency of orderly government—its necessary institutions, its services in schools and roads, reaching into every community and every home, and the ability of the State to carry its increased load in relieving local property taxes. There should be common knowledge and understanding of the extent to which economic conditions have increased the difficulties of its task. Its organization will function in a coöperative spirit upon the basis of compensation that may be applied to the State's pay roll. But it cannot successfully administer constantly increasing responsibilities under increasing difficulties, without increasing



organization to do it. It is not expensive to skim the cream of taxes levied; but unless machinery is adequate for thorough enforcement disintegration of the tax structure will result.

Respectfully submitted,

A. J. MAXWELL,  
*Commissioner.*

The report, together with the letter accompanying same, is referred to the Committee on Finance.

Upon motion of Senator Rankin the Senate adjourns to meet tomorrow at 12 o'clock m.

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## TWENTY-SECOND DAY

SENATE CHAMBER,

SATURDAY, January 28, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. O. L. Riggs, Pullen Memorial Church of Raleigh, N. C.

Senator Patton for the Committee on Journal, announces that he has examined the Journal of yesterday and finds the same correct and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The President announces the appointment of Senator Rankin to attend Legislative Conference to be held in the City of Washington, D. C.

The President announces the appointment of Senator Hairfield to the Committee on Appropriations.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Blackstock: S. B. 144, a bill to amend chapter 95 of the Private Laws, section 1927, by transferring the control of the policemen's pension fund from the city manager of Asheville to a pension and relief board.

Referred to Committee on Judiciary No. 2.

By Senator Corey: S. B. 145, a bill to appoint justices of the peace for Pitt County.

Referred to Committee on Justices of the Peace.

### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 49, a bill relating to the appointment of receivers for building and loan associations.

S. B. 85, a bill to amend chapter 119, Public Laws, 1929, and chapter 32, Public Laws, 1931, relating to State Barbers' License Law.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 37, a bill to amend section 5960 to 5968, inclusive, of the Consolidated Statutes exempting Union County from the absentee voters law.  
Referred to Committee on Election Laws.

H. B. 96, a bill to amend section 1259 of the Consolidated Statutes, relating to the payment of fees in criminal cases tried in Hertford County.  
Referred to Committee on Judiciary No. 1.

H. B. 108, a bill to provide for the election of the chairman of the board of county commissioners and the farm demonstration agent of Macon County by a vote of the people.

Referred to Committee on Counties, Cities and Towns.

H. B. 200, a bill prohibiting the leasing or granting of oyster beds or oyster lands in Pamlico County.

Referred to Committee on Commercial Fisheries.

H. B. 205, a bill to repeal chapter 174, Public-Local Laws, Session 1927, being "An act to repeal the county primary laws for Caldwell and Yancey counties and chapter 413, Public-Local Laws of 1929 amendatory to said chapter 174."

Referred to Committee on Election Laws.

H. B. 232, a bill to repeal chapter 398 of the Public Laws of 1931, relative to the holding of elections in Caswell County.

Referred to Committee on Election Laws.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 67, a bill to repeal chapter 243 of the Public-Local Laws of 1925, relating to the sale and use of fireworks and toy pistols in Mitchell, Madison, Yancey, Avery and Macon counties.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 36, a bill to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Lincoln County.

Passes its second and third readings and is ordered enrolled.

H. B. 90, a bill to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County, to chapter 273, Public Laws, 1929, relating to the punishment of makers of worthless checks and to amend the said law.

Senator Green offers an amendment.



Senator Bell offers an amendment.

Senator Ingram offers an amendment.

Upon motion of Senator Cross, the bill remains upon the Calendar.

Upon motion of Senator Patton, the Senate adjourns to meet Monday night at 8:00 o'clock.

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### TWENTY-THIRD DAY

SENATE CHAMBER,

MONDAY, January 30, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. S. M. Schleifer, Seventh Day Adventist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senator Lee Gravely.

#### ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 43, an act for the relief of Mecklenburg County and for the admission of David Natter to the State Hospital for the Insane at Morganton, North Carolina.

H. B. 204, an act to consolidate the collection of current and delinquent taxes now collected by the sheriff and register of deeds of Robeson County by the appointment of a revenue and tax assistant to the county manager.

H. B. 258, an act to authorize, empower and direct the sheriff and/or tax collector of Cumberland County to accept county vouchers in payment of taxes.

S. B. 44, an act to amend section 5177 of the Consolidated Statutes of North Carolina, relating to building and loan associations.

S. R. 84, a joint resolution for the appointment of a committee to attend the interstate conference of legislators at Washington, D. C., on February 3, 1933.

H. B. 266, an act to clarify the statutes, providing that stockholders of closed banks shall be required to pay only one stock assessment.

H. B. 27, an act to establish a law library in Haywood County.

H. B. 36, an act to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Lincoln County.

S. B. 9, an act to provide for the management, supervision and improvement of the property, grounds and cemetery of the Providence Church, Graham, Alamance County, North Carolina.

S. B. 126, an act to authorize county commissioners of Clay County, town council of the town of Hayesville, N. C., and W. L. Matheson, ex-clerk Clay County Superior Court to write off their deposits an equal amount to all other depositors of the Clay County Bank.

S. B. 128, an act to authorize, empower and direct the sheriff and/or tax collector of Cumberland County to accept county vouchers in payment of taxes.

S. B. 82, an act to amend chapter 42, Private Laws, extra session 1924, relating to the time of meeting of the town council of the town of Rutherfordton.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Dunagan: S. B. 146, a bill to amend chapter 25 of Public-Local Laws of 1929, relating to the office of auditor of Rutherford County.

Upon motion of Senator Dunagan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Bland: S. B. 147, a bill to amend sections 84 and 3240 of the Consolidated Statutes of North Carolina, relating to the advertisement of resales in proceedings to sell real property to make assets and for partition.

Referred to Committee on Judiciary No. 1.

By Senator Efrd: S. B. 148, a bill to amend and add to sub-section 14, section 34, chapter 145, Public Laws of 1931, relating to the refunding of gas tax to the several counties of the State.

Referred to Committee on Finance.

By Senator Bell: S. B. 149, a bill to prohibit fishing and hunting in and on the waters of Lake Summit and Green River in Henderson County.

Referred to Committee on Game Laws.

By Senator Greene: S. B. 150, a bill to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Mitchell and Avery counties.

Referred to Committee on Propositions and Grievances.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 93, a bill to amend sections 5960 to 5968 inclusive, of the Consolidated Statutes exempting Macon County and Lee County from absentee voters law.

Referred to Committee on Election Laws.

H. B. 179, a bill authorizing the commissioners of Currituck County to appoint a prosecuting attorney for said county.

Referred to Committee on Judiciary No. 1.



H. B. 180, a bill to repeal chapter 23, Public-Local Laws Extra Session, 1924, relating to rural policemen in Currituck County.

Referred to Committee on Judiciary No. 2.

H. B. 190, a bill to repeal the absentee ballot law for Yancey, Wake and Wayne counties.

Referred to Committee on Election Laws.

H. B. 195, a bill to amend chapter 212, Public-Local Laws of 1929, relating to bond of tax collector in Haywood County.

Referred to Committee on Finance.

H. B. 248, a bill to repeal section 2, chapter 238, Public-Local Laws 1929, and to authorize the commissioners of Haywood County to designate a depository for public funds in Haywood County.

Referred to Committee on Finance.

H. B. 274, a bill to extend the time for payment of water and sewer assessments due to the board of water commissioners of Hendersonville, North Carolina.

Referred to Committee on Finance.

H. B. 276, a bill to repeal chapter 357 of the Public-Local Laws of 1927, relating to the jury commission of Transylvania County, and providing that non-payment of taxes shall not prevent service on jury in said county.

Referred to Committee on Judiciary No. 1.

H. B. 285, a bill to extend the time for payment of street assessments in the town of Elkin.

Referred to Committee on Finance.

H. B. 290, a bill to consolidate Charleston and Oconalufty Townships in Swain County into one township, to be known as Charleston Township.

Referred to Committee on Judiciary No. 1.

H. B. 296, a bill for the improvement of rural cemeteries in Alamance County.

Referred to Committee on Counties, Cities and Towns.

S. B. 6, a bill to amend chapter 124 of the Private Laws of North Carolina, session of 1929, relating to a civil service for employees of the city of Charlotte, for concurrence in the House amendment.

The bill is placed upon the Calendar.

#### SPECIAL ORDERS

The hour for the special orders set for this day having arrived, the President lays before the Senate special order No. 1, being S. B. 89, a bill to repeal chapter 147, Public Laws of 1929, relating to the appointment of an executive counsel.

Passes its second and third readings and is ordered sent to the House of Representatives.

The President lays before the Senate special order No. 2, being S. B. 90, a bill to amend chapter 277 of the laws, 1931, section 2, and abolishing the office of Director of Personnel and transferring the duties and functions of said office to the Budget Bureau.

Senator Moore offers a substitute bill which is adopted.

Passes its second and third readings and is ordered engrossed.

The President lays before the Senate special order No. 3, being S. B. 91, a bill to transfer the Local Government Commission to the office of the State Treasurer.

Senator Moore moves that action on the bill be deferred and the bill remain upon the Calendar.

Senator Hill offers a substitute motion, that the bill be referred to the Committee on Finance, which is later withdrawn.

The motion of Senator Moore prevails and the bill remains upon the Calendar.

The President lays before the Senate special order No. 4, being S. B. 92, a bill to repeal chapter 127, Public Laws of 1927, chapter 267, Public Laws of 1929, and chapter 457, Public Laws of 1931, and any and all other laws relating to and providing for a tax commission.

Passes its second and third readings and is ordered sent to the House of Representatives.

The President lays before the Senate special order No. 5, being S. B. 94, a bill to amend section 3883 of Consolidated Statutes, and reducing the salaries and compensation of the justices of the Supreme Court.

Upon motion of Senator Moore, the bill is laid upon the table.

The President lays before the Senate special order No. 6, being S. B. 95, a bill to amend section 3884 of Consolidated Statutes and reducing salaries of the judges of the Superior Court.

Upon motion of Senator Moore, the bill is laid upon the table.

The President lays before the Senate special order No. 7, being S. B. 96, a bill to amend chapter 2, Public Laws of 1921 and all acts amendatory thereof and additional thereto and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission.

Upon motion of Senator Gwyn, action upon the bill is deferred and the bill remains upon the Calendar.

The President lays before the Senate special order No. 8, being S. B. 97, a bill to amend section 3890 of Consolidated Statutes of North Carolina and reducing the salaries of solicitors of Superior Court.

Senator Kirkpatrick moves that action on the bill be deferred and the bill remain on the Calendar.

Senator Grady offers a substitute motion that the bill be re-referred to the Committee on Reorganization of State Government.

The substitute motion prevails.

The President lays before the Senate special order No. 9, being S. B. 110, a bill to transfer to Secretary of State the duties and functions of the office of Secretary to the Board of Elections and to amend chapter 97 of the Consolidated Statutes, particularly sections 5921 and 5922.

Upon motion of Senator McNeill of Cumberland, the bill is re-referred to the Committee on Reorganization of State Government.

The President lays before the Senate special order No. 10, being S. B. 114, a bill to limit highway work of the State Highway Commission or the Highway Department for the period of two years during the present biennium,



and to require that no new construction shall be undertaken during said period.

Senator Francis moves that the bill be re-referred to the Committee on Reorganization of State Government.

Senator Aiken offers substitute motion that the bill be referred to the Committee on Public Roads.

The substitute motion prevails.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 90, a bill to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County, to chapter 273, Public Laws, 1929, relating to the punishment of makers of worthless checks and to amend the said law.

Several Senators offer amendments which are adopted.

Upon motion of Senator Bland, the bill is re-referred to the Committee on Judiciary No. 1.

Upon motion of Senator Patton, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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### TWENTY-FOURTH DAY

#### SENATE CHAMBER,

TUESDAY, January 31, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor A. H. Graham.

Prayer is offered by Rev. O. L. Hathaway, Epworth Methodist Episcopal Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators Carlyle Higgins and John Sharpe.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Grady, for the Committee on Judiciary No. 2:

S. B. 68, a bill to amend section 4410 of Volume I of the Consolidated Statutes, relating to carrying concealed weapons, with an unfavorable report.

S. B. 141, a bill to amend chapter 116 of the Private Laws of 1915, being "An act to amend the charter of the town of Selma," with a favorable report.

H. B. 21, a bill to validate certain conveyances executed in Surry County, prior to January 1, 1933, with a favorable report.

H. B. 48, a bill to amend section 2334 of the Consolidated Statutes, relating to the grand jury for Union County, with a favorable report.

By Senator Moore, for the Committee on Reorganization of State Government:

S. B. 70, a bill to amend section 1, chapter 48, Public Laws of 1927, relative to the appointment of members to the North Carolina Park Commission, with a favorable report.

S. B. 93, a bill to abolish Corporation Commission, create office of Utilities Commissioner, and to prescribe and define the functions, powers and duties of such Utilities Commission, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 97, a bill to amend section 3890 of Consolidated Statutes of North Carolina, and reducing the salaries of solicitors of the Superior Court, with a favorable report as amended.

Upon motion of Senator MacLean, the bill is placed upon today's Calendar.

S. B. 106, a bill to restore to the people the right to elect the Commissioner of Revenue, with an unfavorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 105, a bill to regulate the practice of cosmetic art in the State of North Carolina, with a favorable report as amended.

S. B. 144, a bill to amend chapter 95 of the Private Laws, section 1927, by transferring the control of the policemen's pension fund from the city manager of Asheville to a pension and relief board, with a favorable report.

H. B. 55, a bill regulating the hours of work for women, with a favorable report.

H. B. 78, a bill to abolish deficiency judgments upon the foreclosure of mortgages or deeds of trust to secure the unpaid balance of purchase price of real property, with a favorable report.

H. B. 290, a bill to consolidate Charleston and Oconalufly Townships, in Swain County, into one township to be known as Charleston Township, with an unfavorable report.

By Senator McNeill of Cumberland, for the Committee on Justices of the Peace:

S. B. 130, a bill relating to the election of Justices of the Peace for the County of Wayne, with a favorable report.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 90, a bill to amend chapter 277 of the Laws of 1931, section 2, and abolishing the office of Director of Personnel, and transferring the duties and functions of said office to the Budget Bureau.



## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Clark: S. B. 151, a bill to establish the office of public cotton weigher for Township One of Edgecombe County.

Referred to Committee on Counties, Cities and Towns.

By Senator Sparger: S. B. 152, a bill to amend chapter 441 of the Public Laws of 1931, relative to certain special taxes in Duplin, Dare, Avery and other counties.

Referred to Committee on Finance.

By Senator Sparger: S. B. 153, a bill to repeal sections 2 and 3 of chapter 33 of the Public-Local and Private Laws of North Carolina, 1921, regarding compensation of jurors and witnesses in Stokes.

Referred to Committee on Salaries and Fees.

By Senator Aiken: S. B. 154, a bill to validate the official acts of Miss Margaret Carpenter, a notary public of Catawba County.

Upon motion of Senator Aiken, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Ingram: S. B. 155, a bill to provide for the filling of vacancies occurring in the Board of County Commissioners of Randolph County.

Upon motion of Senator Ingram, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

## MEMORIALS

The President announces receipt of a memorial from the National Citizens Committee with a letter accompanying the same which is referred to the Committee on Appropriations.

The President announces receipt of a memorial entitled "House Joint Memorial No. Two," from the State of Washington, which is referred to the Committee on Finance.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions which are read the first time, and disposed of as follows:

H. B. 7, a bill to grant a moratorium on all loans to war veterans under the World War Veterans' Loan Act.

Referred to Committee on Judiciary No. 1.

H. B. 234, a bill to amend chapter 44 of the Public Laws, 1929, relating to the advertisement of judicial foreclosure sales, and to validate sales made thereunder.

Referred to Committee on Judiciary No. 2.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 6, a bill to amend chapter 124 of the Private Laws of North Carolina, session of 1929, relating to a civil service for employees of the City of Charlotte.

Upon motion of Senator Kirkpatrick, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 91, a bill to amend chapter 60, Public Laws of 1931, providing for transfer of the duties of the Director of Local Government to the office of the State Treasurer.

Senator Moore offers substitute which is adopted.

Upon the passage of the bill on its second reading, Senator Kirkpatrick calls for the ayes and noes.

The call is not sustained.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 96, a bill to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission.

Upon motion of Senator Moore, the bill is re-referred to the Committee on Reorganization of State Government.

S. B. 97, a bill to amend section 3890 of Consolidated Statutes of North Carolina, and reducing the salaries of solicitors of the Superior Court.

Senator Hartsell offers an amendment.

Senator Hinsdale offers an amendment.

Senator Clement offers an amendment.

Upon motion of Senator Clark, action on the bill is deferred and it remains on the Calendar.

Senator Dunagan moves that the bill be referred to a Judiciary Committee.

The motion fails of adoption.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow at 12 o'clock m.

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TWENTY-FIFTH DAY

SENATE CHAMBER,

WEDNESDAY, February 1, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor A. H. Graham.

Prayer is offered by Rev. W. W. Davidson, Raleigh, N. C.

Senator Patton for the Committee on Journal, announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.



The courtesies of the floor are extended to Ex-Senators Stacey, Jones and Armstrong and Honorable John J. Parker, member Federal Circuit Court, and U. L. Spence, a former member of the House of Representatives.

#### REPORTS OF COMMITTEES

Bills and resolution are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place of the Calendar, as follows:

By Senator Walker, for the Committee on Election Laws:

H. B. 232, a bill to repeal chapter 398 of the Public Laws of 1931, relative to the holding of elections in Caswell County, with a favorable report.

S. B. 109, a bill to amend section 6054 of the Consolidated Statutes, placing Randolph County under the operation of the state wide primary law, with a favorable report.

S. B. 81, a bill to empower, instruct and authorize the County Board of Elections of Durham County to conduct all municipal, primary and special elections, with a favorable report.

By Senator Rankin, for the Committee on Finance:

S. B. 117, a bill amending chapter 372 of the Public Laws of 1931, relating to the method of abolishing special taxes in special tax districts and providing that the same shall apply to Rowan County, with a favorable report.

By Senator Joyner, for the Committee on Penal Institutions:

S. B. 138, a bill to prohibit the sale of convict-made goods, with a favorable report as amended.

H. B. 32, a bill relating to the superintendent of the county convict farm of Hertford County, with a favorable report.

By Senator Griffin of Franklin, for the Committee on Propositions and Grievances:

H. R. 312, a joint resolution of the House of Representatives and the Senate, requiring T. A. Wilson, Industrial Commissioner, to furnish information relating to the cost of preparing and mailing letter of January 23, 1933, signed by him, seeking to create propaganda against the abolishing of our Industrial Commission, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators MacLean and Bailey: S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor.

Referred to Committee on Education.

By Senator Kirkpatrick: S. B. 157 a bill to amend chapter 236, Public-Local Laws of 1931, relating to the compensation of the Chairman of the Board of County Commissioners of Mecklenburg County.

Referred to Committee on Salaries and Fees.

By Senator Walker: S. B. 158, a bill providing for the inspection of meat markets in the Village of Haw River, in Alamance County.

Referred to Committee on Public Health.

By Senator Bland: S. B. 159, a bill to authorize the issuance and sale of \$110,000.00 of refunding bonds of the County of Wayne, to validate the issuance and sale of \$65,000.00 Wayne County school refunding bonds.

Referred to Committee on Finance.

By Senator Noell: S. B. 160, a bill to amend chapter 532, Public-Local Laws of 1917, being "An act to prevent the sale of certain commodities at the annual meeting of the Lower Country Line Primitive Baptist Association, and to otherwise protect said Association."

Upon motion of Senator Noell, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator McNeill of Cumberland: S. B. 161, a bill to authorize the issuance of script by Cumberland County.

Upon motion of Senator McNeill of Cumberland, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Corey: S. B. 162, a bill to validate the acts of A. L. Woolard, performed by him as Justice of the Peace since April 7, 1931, and to appoint said A. L. Woolard a Justice of the Peace for Carolina Township, Pitt County.

Upon motion of Senator Corey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Dempsey by request: S. B. 163, a bill to amend chapter 427, section 153, Public Laws of 1931, relating to license taxes.

Referred to Committee on Finance.

By Senator Corey: S. B. 164, a bill to appoint B. F. Tyson a Justice of the Peace for Greenville Township, Pitt County.

Referred to Committee on Justices of the Peace.

Upon motion of Senator Patton, H. B. 63, a bill to amend chapter 329, Public Laws, 1925, relating to salary of the Chairman of the Board of County Commissioners and the Sheriff of Swain County, is taken from the unfavorable Calendar and placed upon the favorable Calendar for the purpose of offering a substitute.

Upon motion of Senator Ingram, 400 copies of substitute bill offered for S. B. 120 now pending before the Committee on Education, are ordered printed.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly returned and sent to the office of the Secretary of State:



S. B. 6, An act to amend chapter 124, of the Private Laws of North Carolina, session of 1929, relating to a civil service for employees of the City of Charlotte.

S. B. 146, An act to amend chapter 25 of Public Local Laws of 1929, relating to the office of Auditor of Rutherford County.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. R. 357, a joint resolution appointing a committee from the House of Representatives and the Senate for the purpose of examining into the different departments of the State, and cutting salaries of all officers and employees and making recommendations to the General Assembly on or before February 15, 1933.

Placed upon the Calendar.

H. B. 136, a bill to amend section 3484 of the Consolidated Statutes of North Carolina, relating to railroad policemen.

Referred to Committee on Judiciary No. 2.

H. B. 208, a bill to amend chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks, placing the counties of Northampton, Franklin and Yadkin under the provisions of this act.

Referred to Committee on Judiciary No. 1.

H. B. 235, a bill to amend section 730 of the Consolidated Statutes and chapter 58 of the Public Laws of 1931, permitting deputy sheriffs of Duplin, Graham and Martin counties to lay off homesteads.

Referred to Committee on Judiciary No. 1.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 130, a bill relating to the election of justices of the peace for the County of Wayne.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 141, a bill to amend chapter 116 of the Private Laws of 1915, being "An act to amend the charter of the Town of Selma."

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 21, a bill to validate certain conveyances executed in Surry County prior to January 1, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 48, a bill to amend section 2334 of the Consolidated Statutes, relating to the grand jury for Union County.

Passes its second and third readings and is ordered enrolled.

H. B. 63, a bill to amend chapter 329, Public Laws, 1925, relating to salary of the Chairman of the Board of County Commissioners and the Sheriff of Swain County.

Senator Patton offers a substitute.

Upon motion of Senator Patton, the original bill and substitute are referred to the Committee on Salaries and Fees.

S. B. 97, a bill to amend section 3890 of the Consolidated Statutes of North Carolina, and reducing the salaries of solicitors of the Superior Court.

Senator Ingram offers an amendment.

Upon the adoption of the amendment Senator Ingram calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 10, noes 38, as follows:

Those voting in the affirmative are: Senators Blackstock, Boggan, Brown, Cross, Grady, Hairfield, Ingram, McBryde, McNeill of Ashe, Noell—10.

Those voting in the negative are: Senators Aiken, Bagley, Bailey, Bell, Blackburn, Bland, Blue, Burgin, Clark, Clement, Corey, Dempsey, Dunagan, Efird, Francis, Fuller, Greene, Griffin, of Chowan, Griffin of Franklin, Gwyn, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McDuffee, McNeill of Cumberland, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—38.

The amendment offered by Senator Clement is withdrawn.

The amendment offered by Senator Hinsdale fails of adoption.

Senator Hartsell offers an amendment.

Upon the adoption of the amendment Senator Dunagan calls for the ayes and noes.

The call is sustained.

The amendment is adopted, ayes 34, noes 14, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Bell, Blackburn, Blackstock, Brown, Clark, Clement, Corey, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McNeill of Ashe, McNeill of Cumberland, Patton, Summersill—34.

Those voting in the negative are: Senators Bland, Blue, Boggan, Burgin, Cross, Gwyn, Hanes, MacLean, Moore, Noell, Rankin, Sparger, Walker, Waynick—14.

The amendment offered by the Committee fails of adoption.

The bill as amended passes its second and third readings and is ordered engrossed.

S. B. 70, a bill to amend section 1, chapter 48, Public Laws of 1927, relative to the appointment of members of the North Carolina Park Commission.

Senator Burgin offers a substitute which is adopted.

The bill passes its second and third readings and is ordered engrossed.

S. B. 93, a bill to abolish the Corporation Commission and to create the office of Utilities Commissioner, and to prescribe and define the functions, powers and duties of such Utilities Commissioner.

The Substitute offered by the committee is adopted.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 11 o'clock.



## TWENTY-SIXTH DAY

SENATE CHAMBER,

THURSDAY, February 2, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor A. H. Graham.

Prayer is offered by Dr. Forrest Feezor, Tabernacle Baptist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Senator Rankin announces the appointment of Senators Waynick, MacLean and Aiken to act with himself as the sub-committee of the Senate Finance Committee, acting with a similar committee from the House of Representatives to redraft the Revenue Act.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Ingram, for the Committee on Public Welfare:

S. B. 38, a bill to repeal chapter 423 of the Public Laws of 1931, relative to the election of the County Superintendent of Public Welfare of Iredell County, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 27, a bill to amend the charter of the Town of Oxford, chapter 302, Private Laws of 1913, as amended, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 100, a bill to prohibit the employment on any public works of any architect, engineer, designer, or draftsman interested in the manufacture or sale of any material to be used in such work, with a favorable report as amended.

S. B. 147, a bill to amend sections 84 and 3240 of the Consolidated Statutes of North Carolina, relating to the advertisement of resales in proceedings to sell real property to make assets and for partition, with a favorable report.

H. B. 7, a bill to grant a moratorium on all loans to war veterans under the World War Veterans' Loan Act, with a favorable report.

H. B. 90, a bill to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County, to chapter 273, Public Laws 1929, relating to the punishment of the makers of worthless checks and to amend the said law, with a favorable report as amended.

H. B. 208, a bill to amend chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks, placing the counties of Northampton, Franklin and Yadkin under the provisions of this act, with an unfavorable report.

H. B. 235, a bill to amend chapter 730 of the Consolidated Statutes and chapter 58 of the Public Laws of 1931, permitting deputy sheriffs of Duplin, Graham, and Martin counties to lay off homesteads, with a favorable report.

H. B. 276, a bill to repeal chapter 357 of the Public-Local Laws of 1927, relating to the jury commission of Transylvania County and providing that non-payment of taxes shall not prevent service on jury in said county, with a favorable report.

By Senator Hanes, for the Committee on Insurance:

H. B. 223, a bill to amend section 6360 of the Consolidated Statutes of 1919 to provide for supervision of certain assessment life insurance associations, with a favorable report as amended.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives:

S. B. 97, a bill to amend section 3890 of the Consolidated Statutes of North Carolina and reducing the salaries of solicitors of the Superior Court.

S. B. 70, a bill to amend section 1, chapter 230, Public Laws of 1931, and chapter 48, Public Laws of 1927, relative to the appointment of members to the North Carolina Park Commission.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Kirkpatrick: S. R. 165, a joint resolution concerning former Lieutenant Governor Richard Tillman Fountain.

Upon motion of Senator Kirkpatrick, the rules are suspended and the bill is placed upon its immediate readings.

Upon motion of Senator Hinsdale, the vote on second reading is taken by a rising vote.

The resolution passes its second reading by a unanimous rising vote of the Senate.

Passes its third reading and is ordered sent to the House of Representatives.

By Senator Patton: S. B. 166, a bill to amend section 5168 (q), Volume III of the Consolidated Statutes, providing for payment of Confederate pensions quarterly.

Referred to Committee on Pensions.

By Senator Summersill: S. B. 167, a bill to amend chapter 283 of the Public Laws of 1931, being known as "An act to amend section 1681 of the Consolidated Statutes, relating to payment of damages done by dogs."

Referred to Committee on Propositions and Grievances.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:



S. B. 155, An act to provide for the filling of vacancies occurring in the Board of County Commissioners of Randolph County.

S. B. 154, An act to validate the official acts of Miss Margaret Carpenter, a Notary Public of Catawba County.

H. B. 21, An act to validate certain conveyances executed in Surry County, prior to January 1, 1933.

H. B. 48, An act to amend section 2334 of the Consolidated Statutes, relating to the grand jury for Union County.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 89, a bill to repeal chapter 147, Public Laws of 1929, relating to the appointment of an Executive Council, for concurrence in House Amendment.

Upon motion of Senator Moore, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. R. 81, a joint resolution requesting that all Joint Land Banks and others holding mortgages or deeds of trust, declare a moratorium until November 1, 1934, on all principal payments where interest and taxes are paid.

Referred to Committee on Judiciary No. 1.

H. B. 373, a bill to authorize, empower, and direct the Sheriff and/or Tax Collector of Jones County to accept vouchers in payment of taxes.

Referred to Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 81, a bill to empower, instruct and authorize the county board of elections of Durham County to conduct all municipal, primary and special elections.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 109, a bill to amend section 6054 of the Consolidated Statutes, placing Randolph County under the operation of the state-wide primary law.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 32, a bill relating to the superintendent of the county convict farm of Hertford County.

Passes its second and third readings and is ordered enrolled.

H. B. 232, a bill to repeal chapter 398 of the Public Laws of 1931, relative to the holding of elections in Caswell County.

Passes its second and third readings and is ordered enrolled.

S. B. 93, a bill to abolish the Corporation Commission and to create the ~~Commission~~ of Utilities Commissioner, and to prescribe and define the functions, powers and duties of such Utilities Commissioner.

Senator Fuller offers an amendment.

Senator Clement offers an amendment.

Senator Patton moves that the bill do lie upon the table.

Senator Moore calls for the ayes and noes.

The call is sustained.

The motion fails, ayes 7, noes 42, as follows:

Those voting in the affirmative are: Senators Bell, Dunagan, Griffin of Franklin, Hill, Hinsdale, Patton, Walker—7.

Those voting in the negative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Cross, Dempsey, Efrd, Francis, Fuller, Grady, Greene, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hartsell, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Summersill, Waynick—42.

The amendment offered by Senator Clement is adopted.

The amendment offered by Senator Fuller is adopted.

Upon the passage of the bill on its second reading, Senator Francis calls for the ayes and noes.

The call is sustained.

The bill fails to pass its second reading, ayes 24, noes 26, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Beatty, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Cross, Efrd, Fuller, Grady, Griffin of Chowan, Gwyn, Hanes, Ingram, Land, MacLean, McBryde, McNeill of Cumberland, Moore, Rankin, Summersill—24.

Those voting in the negative are: Senators Aiken, Barker, Bell, Blackburn, Brown, Clark, Corey, Dempsey, Dunagan, Francis, Greene, Griffin of Franklin, Hairfield, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Long, McDuffee, McNeill of Ashe, Noell, Patton, Sprager, Walker, Waynick—26.

H. R. 357, a joint resolution appointing a committee from the House of Representatives and the Senate for the purpose of examining the different departments of the State and cutting salaries of all officers and employees, and making recommendations to the General Assembly on or before February 15, 1933.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Burgin, S. B. 70, a bill to amend section 1, chapter 48, Public Laws of 1927, relative to the appointment of members to the North Carolina Park Commission, is recalled from the House of Representatives.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## TWENTY-SEVENTH DAY

SENATE CHAMBER,

FRIDAY, February 3, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham

Prayer is offered by Rev. A. B. Hunter of Raleigh. N. C.



Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators Burgwyn and McMullan.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

S. B. 78, a bill to provide for free privilege license for the blind to transact business in this State, with a favorable report as amended.

S. B. 152, a bill to amend chapter 441 of the Public Laws of 1931, relative to certain special taxes in Duplin, Dare, Avery and other counties, with a favorable report.

S. B. 127, a bill to validate certain sales of land for taxes and certificates issued in pursuance thereof, with a favorable report.

S. B. 118, a bill to amend the charter of the town of Oxford, chapter 302, Private Laws of 1913, as amended, with an unfavorable report.

S. B. 103, a bill to amend chapter 366, Public Laws of 1931, so as to permit the continued use of 1932 license tags to July 1, 1933, upon payment of semiannual or quarterly license fees, with an unfavorable report.

S. B. 80, a bill to amend the Constitution, article V, section 3, so as to provide an exemption from taxation of two thousand dollars for homes, with an unfavorable report.

S. B. 159, a bill to authorize the issuance and sale of \$110,000 refunding bonds of the county of Wayne, to validate the issuance and sale of \$65,000 Wayne County School refunding bonds, with a favorable report.

H. B. 195, a bill to amend chapter 212, Public-Local Laws of 1929, relating to bond of tax collector in Haywood County, with a favorable report.

H. B. 159, a bill to repeal chapter 430 of the Public-Local Laws of 1931, relating to tax commission in Yancey County, with a favorable report.

H. B. 227, a bill to amend chapter 279, Public-Local Laws of 1929, relative to the collection of taxes in Transylvania County, with a favorable report.

H. B. 193, a bill to amend chapter 88, Private Laws, 1923, reenacting sections 1 and 2 thereof, validating the tax levies of 1931 and 1932, and validating the election of certain officers of the town of Gatesville, with a favorable report.

H. B. 178, a bill to provide for the better collection of dog and poll taxes in Currituck County, with a favorable report.

By Senator Aiken, for the Committee on Courts and Judicial Districts:

S. B. 74, a bill relating to terms of Superior Court in Bladen County, with a favorable report.

S. B. 142, a bill to amend chapter 208, Public Laws, 1929, relating to terms of court of Johnston County, with a favorable report.

H. B. 182, a bill to limit liability of Cleveland County for court costs, with a favorable report.

H. B. 210, a bill to amend section 1443, Consolidated Statutes, relating to terms of court of Caswell and Rockingham counties, with a favorable report.

By Senator Griffin of Chowan, for the Committee on Commercial Fisheries:

H. B. 200, a bill prohibiting the leasing or granting of oyster beds or oyster lands in Pamlico County, with a favorable report.

H. B. 72, a bill to prohibit the taking of shad fish from the Atlantic Ocean along the borders of Brunswick, New Hanover, Pender and Onslow counties, with a favorable report.

H. B. 24, a bill relating to and limiting leasing of oyster beds in Hyde County, with a favorable report.

S. B. 73, a bill to amend section 1970 of the Consolidated Statutes, relating to Sunday fishing in Onslow County, with a favorable report.

By Senator Long, for the Committee on Public Health:

H. B. 189, a bill to amend chapter 88, Public Laws, 1915, relating to eradication of hog cholera in Wilson County, with a favorable report.

S. B. 134, a bill to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane, with a favorable report.

S. B. 158, a bill providing for the inspection of meats and meat markets in the village of Haw River, in Alamance County, with a favorable report.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 7, an act to provide for the establishment of a civil service board for the rural policemen of Mecklenburg County.

S. B. 62, an act to amend chapter 697 of the Public-Local Laws of 1913, relating to the term of office of the judge of the county court of Wayne County.

S. B. 89, an act to repeal chapter 147, Public Laws of 1929, relating to the appointment of an executive counsel.

S. B. 91, an act to amend chapter 60, Public Laws of 1931, providing for transfer of the duties of the director of Local Government to the office of the State Treasurer.

S. B. 102, an act to amend and rewrite section 6618 of the Consolidated Statutes, relating to the revocation of licenses of physicians.

S. B. 161, an act to authorize the issuance of script by Cumberland County.

H. B. 32, an act relating to the superintendent of the county convict farm of Hertford County.

H. B. 232, an act to repeal chapter 398 of the Public Laws of 1931, relative to the holding of elections in Caswell County.

H. R. 357, a joint resolution appointing a committee from the House of Representatives and the Senate for the purpose of examining into the different departments of the State and cutting salaries of all officers and



employees, and making recommendations to the General Assembly on or before February 15, 1933.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Sparger: S. B. 168, a bill to simplify the method and procedure of bringing tax foreclosure suits when brought by any county, city or town.

Referred to Committee on Finance.

By Senator Greene: S. B. 169, a bill for the relief of H. E. Roberts.

Referred to Committee on Judiciary No. 2.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 345, a bill to abolish the office of county auditor, welfare officer and county agent for the county of Ashe and the transfer of their duties to other county officers.

Referred to Committee on Public Welfare.

H. B. 349, a bill to employ a court stenographer for the county of Ashe.

Referred to Committee on Judiciary No. 2.

S. B. 101, a bill to validate the official acts of George W. Hardison, a notary public of Washington County, for concurrence in the House amendment.

Placed upon the Calendar.

H. B. 318, a bill giving the board of county commissioners of Gaston County authority to fix the salaries of county officers of Gaston County.

Referred to Committee on Salaries and Fees.

H. B. 323, a bill to authorize, empower and direct the sheriff and/or tax collector of Caswell County to accept county vouchers in payment of taxes.

Referred to Committee on Finance.

H. B. 333, a bill to extend the time for payment of municipal street assessment in the town of Waynesville.

Referred to Committee on Finance.

H. B. 146, a bill to abolish the office of tax collector and the Recorder's Court for Alexander County, and to fix the compensation of the county officers of said county.

Referred to Committee on Counties, Cities and Towns.

H. B. 186, a bill for the relief of Ex-sheriff C. E. Moxley of Yadkin County.

Referred to Committee on Finance.

H. B. 198, a bill to authorize county authorities to revalue property for taxation in certain cases.

Referred to Committee on Finance.

H. B. 247, a bill to repeal chapter 283, Public-Local Laws, Session of 1931, relating to pay of county commissioners of Columbus County.

Referred to Committee on Salaries and Fees.

H. B. 265, a bill to regulate certain fees of the courts and officers of the county of Harnett.

Referred to Committee on Salaries and Fees.

H. B. 294, a bill to amend chapter 498, Public-Local Laws of 1923, relating to salaries of Brunswick County officials.

Referred to Committee on Salaries and Fees.

H. B. 303, a bill to validate tax sales of towns and counties.

Referred to Committee on Finance.

H. B. 305, a bill to validate the acts of notaries public who were holding other offices at the time acknowledgments were taken.

Referred to Committee on Judiciary No. 2.

H. B. 306, a bill to amend section 2, chapter 28, of the Public-Local Laws, regular session of the General Assembly of North Carolina, ratified the 10th day of February, 1931, relative to the pay of the clerk of the Superior Court, etc.

Referred to Committee on Salaries and Fees.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 27, a bill to amend the charter of the town of Oxford, chapter 302, Private Laws of 1913, as amended.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 38, a bill to repeal chapter 423 of the Public Laws of 1931, relative to the election of the county superintendent of public welfare of Iredell County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 90, a bill to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County, to chapter 273, Public Laws, 1929, relating to the punishment of makers of worthless checks and to amend the said law.

The amendment offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 235, a bill to amend section 730 of the Consolidated Statutes and chapter 58 of the Public Laws of 1931, permitting deputy sheriffs of Duplin, Graham and Martin counties to lay off homesteads.

Passes its second and third readings and is ordered enrolled.

H. B. 276, a bill to repeal chapter 357 of the Public-Local Laws of 1927, relating to the jury commission of Transylvania County and providing that nonpayment of taxes shall not prevent service on jury in said county.

Passes its second and third readings and is ordered enrolled.



S. B. 100, a bill to prohibit the employment on any public works of any architect, engineer, designer, or draftsman interested in the manufacture or sale of any material to be used in such work.

The amendment offered by the committee is adopted.

Passes its second and third readings and is ordered engrossed.

S. B. 147, a bill to amend sections 84 and 3240 of the Consolidated Statutes of North Carolina, relating to the advertisement of resales in proceedings to sell real property to make assets and for partition.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 55, a bill regulating the hours of work for women.

Senator Kirkpatrick offers an amendment which fails of adoption.

Passes its second and third readings and is ordered enrolled.

H. B. 78, a bill to abolish deficiency judgments upon the foreclosure of mortgages or deeds of trust to secure the unpaid balance of purchase price of real property.

Upon the passage of the bill on its second reading, Senator Griffin of Franklin calls for the ayes and noes.

The call is sustained.

The bill passes second reading, ayes 36, noes 10, as follows:

Those voting in the affirmative are: Senators Aiken, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Corey, Cross, Dempsey, Efland, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hairfield, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—36.

Those voting in the negative are: Senators Bagley, Bailey, Burgin, Clement, Griffin of Chowan, Gwyn, Hanes, Hartsell, MacLean, McDuffie—10.

Passes its second and third readings and is ordered enrolled.

S. B. 105, a bill to regulate the practice of cosmetic art in the State of North Carolina.

The Committee offers an amendment.

Senator Hinsdale offers an amendment which is withdrawn.

The amendment offered by the Committee is adopted.

Upon motion of Senator Moore, action on the bill is deferred and it remains upon the Calendar.

H. R. 312, a joint resolution requiring T. A. Wilson, Industrial Commissioner, to furnish information relating to the cost of preparing and mailing letter of January 23, 1933, signed by him, seeking to create propaganda against the abolition of our industrial commission.

Passes its second and third readings and is ordered enrolled.

H. B. 223, a bill to amend section 6360 of the Consolidated Statutes of 1919, to provide for supervision of certain assessment life insurance associations.

The amendment offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

Senator Hill for the Committee to Investigate the Financial Condition of subdivisions of government, makes a report and upon his motion the data

and information gathered is turned over to the State Treasurer and the Committee discharged.

A petition of citizens requesting reduction in price of automobile license tags is presented by Senaor Burgin and is referred to the Committee on Finance.

Senator Hartsell moves that the vote by which S. B. 93, a bill to abolish Corporation Commission, create office of Utilities Commissioner and to prescribe and define the functions, powers and duties of such Utilities Commissioner, failed to pass its second reading, be reconsidered.

Senator Francis moves that this motion do lie upon the table.

Senator Blue calls for the ayes and noes.

The call is sustained.

The motion of Senator Francis fails of adoption, ayes 19, noes 27, as follows:

Those voting in the affirmative are: Senators Barker, Bell, Blackburn, Brown, Francis, Greene, Griffin of Franklin, Hairfield, Hill, Hinsdale, Joyner, Kirkpatrick, Long McDuffie, Noell, Patton, Sparger, Walker, Waynick—19.

Those voting in the negative are: Senators Aiken, Bagley, Bailey, Beatty, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Eflrd, Fuller, Griffin of Chowan, Gwyn, Hanes, Hartsell, Ingram, Land, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Summersill—27.

The motion of Senator Hartsell prevails.

Senator Hartsell moves that the bill be re-referred to the Committee on Reorganization of State Government.

Senator McNeill of Ashe offers a substitute motion that the bill be taken up for immediate consideration.

The motion fails.

The motion of Senator Hartsell prevails and the bill is re-referred to the Committee on Reorganization of State Government.

Senator MacLean announces the appointment of a Sub-Committee from the Committee on Education to consider pending school legislation as follows:

Senators: Griffin of Chowan, Ingram and Francis.

The President announces the appointment of a Committee under H. R. 357, a joint resolution appointing a Committee from the House of Representatives and the Senate for the purpose of examining into the different departments of the State, and cutting salaries of all officers and employees, and making recommendations to the General Assembly on or before February 15, 1933, on the part of the Senate as follows:

Senators: Blackstock, McNeill of Cumberland and Corey.

Upon motioin of Senator Burgin, the vote by which S. B. 70, a bill to amend section 1, chapter 230, Public Laws of 1931, and chapter 48, Public Laws of 1927, relative to the appointment of members to the North Carolina Park Commission, passed its third reading is reconsidered.

Upon motion of Senator Burgin, the bill is re-referred to the Committee on Reorganization of State Government.



Upon motion of Senator Burgin, the Senate adjourns to meet tomorrow morning at 10:00 o'clock and that at the session tomorrow only public-local bills to be considered.

## TWENTY-EIGHTH DAY

SENATE CHAMBER,

SATURDAY, February 4, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. F. S. Love, Presiding Elder of the Methodist Episcopal Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Kirkpatrick: S. B. 170, a bill granting the right to E. A. Moody of Mecklenburg County to practice dog surgery and to treat dogs without standing examination or buying the license as required.

Referred to Committee on Public Health.

By Senator Kirkpatrick: S. B. 171, a bill to provide for a minimum of eight months school term for the city of Charlotte, limiting the tax rate for school purposes, prohibiting school commissioners from borrowing money and permitting the governing body of Charlotte to borrow and advance money to the school commissioners for school purposes and authorizing the mayor to approve the school budget and contracts of school commissioners for the erection of schools.

Upon motion of Senator Kirkpatrick, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Kirkpatrick: S. B. 172, a bill to transfer the theft bureau with all its powers and duties to the State Highway Patrol without additional pay or compensation to the Highway Patrol.

Referred to Committee on Judiciary No. 2.

### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 100, a bill to prohibit the employment on any public works of any architect, engineer, designer or draftsman interested in the manufacture or sale of any material to be used in such work.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 46, a bill to prohibit the sale of cold drinks, ice cream, lemonade, cigars, cigarettes or any other kind of merchandising, as picture making or fortune telling during the three days session of the Upper County Line Primitive Baptist Association within a distance closer than five hundred yards of said meeting.

Referred to Committee on Counties, Cities and Towns.

H. B. 106, a bill to amend chapter 52, section 2532 of the Consolidated Statutes of North Carolina.

Referred to Committee on Agriculture.

H. B. 161, a bill to amend chapter 52 of the Public Laws of 1931, relating to plumbing and heating contractors.

Referred to Committee on Judiciary No. 1.

H. B. 253, a bill for the relief of sheriffs and tax collectors.

Referred to Committee on Finance.

H. B. 334, a bill to authorize the towns of Waynesville and Hazelwood to establish, construct and maintain a joint sewer disposal system.

Referred to Committee on Counties, Cities and Towns.

H. B. 363, a bill amending volume I, section 1389 of the Consolidated Statutes of North Carolina and acts amendatory thereto, relating to the financial agent for the county of Chatham.

Referred to Committee on Finance.

H. B. 220, a bill to amend section 1893 of volume III of the Consolidated Statutes, relating to tax on oysters.

Referred to Committee on Finance.

H. B. 222, a bill to amend section 6442 of 1919 and to require casualty and surety companies to make deposits.

Referred to Committee on Insurance.

H. B. 244, a bill to amend section 2312 of the Consolidated Statutes, exempting Macon County from the requirement of payment of taxes by jurors.

Referred to Committee on Finance.

S. B. 49, a bill relating to the appointment of receivers for building and loan associations for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 90, a bill to amend chapter 277 of the Laws of 1931, section 2 and abolishing the office of director of personnel and transferring the duties and functions of said office to the budget bureau, for concurrence in the House amendment.

Placed upon the Calendar.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 73, a bill to amend section 1970 of the Consolidated Statutes relating to Sunday fishing in Onslow County.



Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 74, a bill relating to terms of Superior Court in Bladen County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 142, a bill to amend chapter 208 of the Public Laws of 1929, amending section 1443 of the Consolidated Statutes, relating to terms of court of Johnston County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 158, a bill providing for the inspection of meats and meat markets in the village of Haw River in Alamance County.

Passes its second and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator McNeill of Cumberland, the Senate adjourns to meet Monday evening at 8:00 o'clock.

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## TWENTY-NINTH DAY

SENATE CHAMBER,

MONDAY, February 6, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. E. H. Goold, President of St. Augustine's College of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senator Price.

Senator Clement reports that the Finance and Appropriations Committees are unable to report as of this date in compliance with S. R. 1, a joint resolution providing for a balanced budget and requiring the Finance and Appropriations Committees to make report embodying the Appropriations for the biennium 1933 to 1935, and Committee on Finance to make its report, etc., and requests for the Committees additional sufficient time to make such report. There being no objection the President grants the request for an extension of time.

A petition of citizens of Davidson County presented by Senator Burgin requesting relief for the cities of the county of responsibility and expense in connection with the reconstruction and maintenance of all marked State highways within their corporate limits is referred to the Committee on Public Roads.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Kirkpatrick: S. B. 173, a bill to amend chapter 86 of the Public-Local Laws of 1931, reducing the salaries of the sheriff, the register

of deeds and the clerk of the Superior Court of Mecklenburg County, and fixing salaries of the jailer and deputy sheriffs, and amending chapter 236 of the Public-Local Laws of 1931, reducing the salary of the chairman of the board of county commissioners of Mecklenburg County.

Upon motion of Senator Kirkpatrick, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Kirkpatrick: S. R. 174, a resolution to require a committee to secure and submit estimates as to the cost of replacing all wooden materials in the State prison with steel and concrete structure.

Referred to Committee on Penal Institutions.

By Senator Kirkpatrick: S. B. 175, a bill to create the offices of treasurer-tax collector of Mecklenburg County, and collector of revenue for the city of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers.

Upon motion of Senator Kirkpatrick, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Francis: S. B. 176, a bill to require insurance companies writing workmen's compensation insurance in North Carolina to deposit with the treasurer of the State of North Carolina funds to protect outstanding liability.

Referred to Committee on Insurance.

By Senators Francis and Patton: S. B. 177, a bill to provide for the extension of time for the payment of property taxes assessed for the year of 1932, and to be assessed for the year of 1933 in Haywood, Jackson, Transylvania, Macon, Swain, Clay, Cherokee and Graham counties.

Referred to Committee on Finance.

By Senator Patton: S. B. 178, a bill to amend chapter 299 of Public Laws of 1931, relating to the standard weight of packages of corn meal in Macon County.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Patton: S. B. 179, a bill to amend chapter 83 of Public Laws of 1927, decreasing the payments to be made by those entering land in Cherokee, Clay, Graham, Macon and Swain counties.

Referred to Committee on Finance.

By Senators Dungan and Clement: S. B. 180, a bill to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

Referred to Committee on Finance.

By Senator Aiken: S. B. 181, a bill to amend chapter 86, Public Laws of North Carolina, session 1925, the same being "An act to authorize and empower administrators, executors or collectors of a decedent's estate to



renew the obligation of decedent without incurring personal liability on the part of the administrators, executors or collectors."

Referred to Committee on Judiciary No. 1.

By Senator Ingram: S. B. 182, a bill to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes exempting Randolph County from the absentee voters law.

Upon motion of Senator Ingram, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Patton: S. B. 183, a bill to enable the Governor of North Carolina to better perform his duties under the Constitution in the matter of reprieves, commutations and pardons, and thereby more expeditiously handle the prison problem and reduce the cost of administration thereof.

Referred to Committee on Penal Institutions.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 291, a bill to amend chapter 37, Public-Local Laws of 1931, relating to tax collector for Brunswick County.

Referred to Committee on Finance.

H. B. 292, a bill to amend chapter 411, Public-Local Laws of 1923, relating to payment of premiums on bonds of officials of Brunswick County.

Referred to Committee on Finance.

H. B. 325, a bill to repeal chapter 112 of Public-Local Laws of 1931, relating to the bond of county treasurer of Currituck County.

Referred to Committee on Finance.

H. B. 326, a bill to repeal chapter 396 of Public-Local Laws of 1931, relating to place of meeting of board of education in Currituck County.

Referred to Committee on Counties, Cities and Towns.

H. B. 348, a bill to prohibit the county of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness.

Referred to Committee on Finance.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that in compliance with the provision of H. R. 312, a joint resolution of the House and Senate requiring T. A. Wilson, Industrial Commissioner, to furnish information relating to the cost of preparing the mailing letter of January 23, 1933, signed by him, seeking to create propaganda against the abolition of our Industrial Commission, A. T. Wilson, Commissioner, has filed with the House of Representatives the report required thereunder.

The report is filed in the office of the Principal Clerk of the House for inspection by members of the General Assembly and the public.

Respectfully,

February 6, 1933.

THAD EURE,  
*Principal Clerk.*

#### ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 66, an act to amend chapter 93 of the Public Laws of 1929, relating to assessment plan of certain insurance companies.

S. R. 165, a joint resolution concerning former Lieutenant-Governor Richard Tillman Fountain.

H. B. 55, an act regulating the hours of work for women.

H. B. 78, an act to abolish deficiency judgments upon the foreclosure of mortgages or deeds of trust to secure the unpaid balance of purchase price of real property.

H. B. 235, an act to amend section 730 of the Consolidated Statutes, and chapter 58 of the Public Laws of 1931, permitting deputy sheriffs of Duplin, Graham and Martin counties to lay off homesteads.

H. B. 276, an act to repeal chapter 357 of the Public-Local Laws of 1927, relating to the jury commission of Transylvania County, and providing that non-payment of taxes shall not prevent service on jury in said county.

H. R. 312, a joint resolution of the House of Representatives and the Senate requiring T. A. Wilson, Industrial Commissioner, to furnish information relating to the cost of preparing and mailing letter of January 23, 1933, signed by him seeking to create propaganda against the abolition of our Industrial Commission.

S. B. 141, an act to amend chapter 116 of the Private Laws of 1915, being "An act to amend the charter of the town of Selma."

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 101, a bill to validate the official acts of George W. Hardison, a notary public of Washington County, for concurrence in the House amendment.

Upon motion of Senator Bailey, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 159, a bill to authorize the issuance and sale of \$110,000 refunding bonds of the county of Wayne, to validate the issuance and sale of \$65,000 Wayne County School refunding bonds, upon second reading.

The bill passes its second reading, ayes 48, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efrd, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hart-



sell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—48.

H. B. 24, a bill relating to and limiting leasing of oyster beds in Hyde County.

Passes its second and third readings and is ordered enrolled.

H. B. 159, a bill to repeal chapter 430 of the Public Local Laws of 1931, relating to tax commission in Yancey County.

Passes its second and third readings and is ordered enrolled.

H. B. 200, a bill prohibiting the leasing or granting of oyster beds or oyster lands in Pamlico County.

Passes its second and third readings and is ordered enrolled.

H. B. 210, a bill to amend section 1443 of the Consolidated Statutes, relating to the terms of court for Caswell County and Rockingham County.

Passes its second and third readings and is ordered enrolled.

H. B. 227, a bill to amend chapter 279, Public-Local Laws of 1929, relative to the collection of taxes in Transylvania County.

Passes its second and third readings and is ordered enrolled.

S. B. 49, a bill relating to the appointment of receivers for building and loan associations, for concurrence in the House amendment.

Upon motion of Senator Cross, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 178, a bill to provide for the better collection of dog and poll taxes in Currituck County.

Passes its second and third readings and is ordered enrolled.

H. B. 182, a bill to limit the liability of Cleveland County for court costs.

Passes its second and third readings and is ordered enrolled.

H. B. 193, a bill to amend chapter 88, Private Laws 1923, reënacting sections 1 and 2 thereof, validating the tax levies of 1931 and 1932, and validating the election of certain officers of the town of Gatesville.

Passes its second and third readings and is ordered enrolled.

H. B. 195, a bill to amend chapter 212, Public-Local Laws of 1929, relating to bond of tax collector in Haywood County.

Passes its second and third readings and is ordered enrolled.

S. B. 78, a bill to provide for free privilege license for the blind to transact business in this State.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 90, a bill to amend chapter 277 of the Laws of 1931, section 2, and abolishing the office of Director of Personnel, and transferring the duties and functions of said office to the Budget Bureau, for concurrence in the House amendment.

Upon motion of Senator Moore, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 105, a bill to regulate the practice of cosmetic art in the State of North Carolina.

Senator Hinsdale offers an amendment.

Senator Gwyn offers an amendment.

Senator Dunagan offers an amendment.

The amendment offered by Senator Dunagan fails of adoption.

The amendment offered by Senator Gwyn is adopted.

The amendment offered by Senator Hinsdale is adopted.

Upon the passage of the bill on its second reading, Senator Moore calls for the ayes and noes.

The call fails.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 127, a bill to validate certain sales of land for taxes and certificates issued in pursuance thereof.

Senator Dunagan offers an amendment which is withdrawn.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 134, a bill to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane.

Senator Bailey offers an amendment which is adopted.

Upon motion of Senator Aiken, the bill is re-referred to the Committee on Public Health.

S. B. 138, a bill to prohibit the sale of convict made goods.

Upon motion of Senator Cross, the bill is placed upon the Calendar for Wednesday.

S. B. 152, a bill to amend chapter 441, of the Public Laws of 1931, relative to certain special taxes in Duplin, Dare, Avery and other counties.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 72, a bill to prohibit the taking of shad fish from the Atlantic Ocean along the borders of Brunswick, New Hanover, Pender and Onslow counties.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Patton, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

### THIRTIETH DAY

SENATE CHAMBER,

TUESDAY, February 7, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. M. A. Barber, Christ Episcopal Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators Wade Phillips and W. S. Coulter and Hon. Frank D. Hackett.



## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 63, a bill to amend chapter 329, Public Laws of 1925, relating to salary of the chairman of the board of county commissioners and the sheriff of Swain County, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

H. B. 105, a bill to amend chapter 463 of the Public-Local Laws, 1931, relating to the salary of the auditor of Cleveland County, with a favorable report.

S. B. 153, a bill to repeal sections 2 and 3 of the Public-Local and Private Laws of North Carolina, 1921, regarding compensation of the jurors and witnesses in Stokes County, with a favorable report.

H. B. 270, a bill to amend section 3907 of the Consolidated Statutes of 1919, relating to fees of register of deeds in Scotland County, with a favorable report.

By Senator Gwyn, for the Committee on Public Roads:

S. B. 36, a bill to set aside and allocate a certain portion of the taxes from motor trucks for the aid and relief of the several counties of the State, without prejudice.

Upon recommendation of the Committee, the bill is re-referred to the Committee on Finance.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 16, a bill to amend the Consolidated Statutes of North Carolina, relating to divorce, with an unfavorable report.

S. B. 17, a bill relating to divorces, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 135, a bill relating to foreclosures of mortgages or deeds of trust in Macon County, with a favorable report as amended.

H. R. 81, a joint resolution requesting that all joint land banks and others holding mortgages or deeds of trust declare a moratorium until November 1, 1934, on all principal payments where interest and taxes are paid, with a favorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Long: S. B. 184, a bill to amend section 5003(1), chapter 87-a of the Consolidated Statutes, relative to autopsy.

Referred to Committee on Public Health.

By Senator Kirkpatrick: S. B. 185, a bill to amend chapter 261 of the Public Laws of 1925, by abolishing the renewals of certificates and the fees therefor.

Referred to Committee on Finance.

By Senator Clement: S. B. 186, a bill to permit an extension of all loans to war veterans under the world war veterans' loan act.

Upon motion of Senator Clement, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed, and they are ordered sent to the House of Representatives.

S. B. 78, a bill to provide for free privilege license for the blind to transact business in this state.

S. B. 105, a bill to regulate the practice of cosmetic art in the State of North Carolina.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 101, a bill to amend chapter 59, Private Laws of North Carolina, session of 1913, relating to city elections in the city of Raleigh.

Referred to Committee on Election Laws.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 159, a bill to authorize the issuance and sale of \$110,000 refunding bonds of the county of Wayne, to validate the issuance and sale of \$65,000 Wayne County School refunding bonds, upon third reading.

The bill passes third reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McDuffie, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Sparger, Walker—41.

The bill is ordered sent to the House of Representatives.

H. B. 189, a bill to amend chapter 88, Public Laws of 1915, relating to eradication of hog cholera in Wilson County.

The bill passes its second reading.

Upon motion of Senator Dempsey, the bill is re-referred to the Committee on Public Health.

H. B. 7, a bill to grant a moratorium on all loans to war veterans under the world war veterans' loan act.

Upon motion of Senator Clement, the bill is laid on the table.

Upon motion of Senator Corey, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.



**THIRTY-FIRST DAY**

SENATE CHAMBER,

WEDNESDAY, February 8, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. R. W. Bradshaw, Jenkins Memorial Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senators J. A. Brown, A. P. Godwin, John C. McBee and Peyton McSwain.

**REPORTS OF COMMITTEES**

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Walker, for the Committee on Election Laws:

H. B. 205, a bill to repeal chapter 174, Public-Local Laws, Session 1927, being "An act to repeal the county primary law for Caldwell and Yancey counties" and chapter 413, Public-Local Laws of 1929, amendatory to said chapter 174, with a favorable report.

H. B. 93, a bill to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes exempting Macon County and Lee County from the absentee voters law, with an unfavorable report.

By Senator Long, for the Committee on Public Health:

S. B. 134, a bill to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane, with a favorable report as amended.

S. B. 170, a bill granting the right to E. Z. Moody of Mecklenburg County to practice dog surgery and to treat dogs without standing examination or buying the license as required, with a favorable report.

S. B. 184, a bill to amend section 5003(1), chapter 87-A of the Consolidated Statutes, relative to autopsy, with a favorable report.

H. B. 189, a bill to amend chapter 88, Public Laws, 1915, relating to eradication of hog cholera in Wilson County, with a favorable report.

By Senator Clement, for the Committee on Judiciary No. 1:

H. B. 15, a bill to repeal chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry and providing for the physical examination of applicants," with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

H. B. 161, a bill to amend chapter 52, of the Public Laws of 1931, relating to plumbing and heating contractors, with a favorable report.

By Senator Gwyn, for the Committee on Public Roads:

S. B. 114, a bill to limit highway work of the State Highway Commission or Highway Department for the period of two years during the present biennium and to require that no new construction shall be undertaken during said period, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Moore, for the Committee on Reorganization of State Government:

S. B. 87, a bill preventing any member of the General Assembly from accepting during his term of office a position created by such General Assembly, with an unfavorable report.

S. B. 93, a bill to abolish the Corporation Commission and to create the office of Utilities Commissioner and to prescribe and define the functions, powers and duties of such Utilities Commissioner, with a favorable report as amended.

By Senator Grady, for the Committee on Judiciary No. 2:

S. B. 139, a bill to amend the Public Laws of 1917, chapter 136, as set forth in article 19, Consolidated Statutes, part 2, plan "B" relating to municipal corporations, with a favorable report.

H. B. 305, a bill to validate the acts of notaries public who were holding other offices at the time acknowledgments were taken, with a favorable report.

H. B. 136, a bill to amend section 3484 of the Consolidated Statutes of North Carolina, relating to railroad policemen, with a favorable report.

H. B. 349, a bill to employ a court stenographer for the County of Ashe, with a favorable report.

H. B. 234, a bill to amend chapter 44 of the Public Laws of 1929, relating to the advertisement of judicial foreclosures sales, and to validate sales made thereunder, with an unfavorable report.

#### PETITIONS AND MEMORIALS

A petition of 14,536 employees protesting against impairment of Workmen's Compensation Law, is presented by Senator Waynick and referred to the Committee on Insurance.

A memorial of the Burlington Merchants Association pertaining to a general sales tax is presented by Senator Walker and referred to the Committee on Finance.

#### ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 49, An act relating to the appointment of receivers for building and loan associations.

S. B. 51, an act to amend chapter 145 of the Public Laws of 1931, so as to repeal the sixty-day minimum term for commitment to district prison camps.



S. B. 55, an act to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses.

S. B. 101, an act to validate the official acts of George W. Hardison, a notary public of Washington County.

H. B. 24, an act relating to, and limiting, leasing of oyster beds in Hyde County.

H. B. 72, an act to prohibit the taking of shad fish from the Atlantic Ocean along the borders of Brunswick, New Hanover, Pender and Onslow counties.

H. B. 90, an act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County to chapter 273, Public Laws 1929, relating to the punishment of makers of worthless checks, and to amend the said law.

H. B. 159, an act to repeal chapter 430 of the Public-Local Laws of 1931, relating to tax commission in Yancey County.

H. B. 178, an act to provide for the better collection of dog and poll taxes in Currituck County.

H. B. 182, an act to limit the liability of Cleveland County for court costs.

H. B. 193, an act to amend chapter 88, Private Laws of 1923 reënacting sections 1 and 2 thereof, validating the tax levies of 1931 and 1932, and validating the election of certain officers of the town of Gatesville.

H. B. 195, an act to amend chapter 212, Public-Local Laws of 1929, relating to bond of tax collector in Haywood County.

H. B. 200, an act prohibiting the leasing, or granting, of oyster beds or oyster lands in Pamlico County.

H. B. 210, an act to amend section 1443 of the Consolidated Statutes, relating to the terms of court for Caswell County and Rockingham County.

H. B. 227, an act to amend chapter 279, Public-Local Laws of 1929, relating to the collection of taxes in Transylvania County.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Griffin of Franklin: S. B. 187, a bill to amend chapter 430 of Public Laws of 1931, relating to maintenance of plant and fixed charges of public schools.

Referred to Committee on Education.

By Senator Walker: S. B. 188, a bill to amend chapter 234 of the Public-Local Laws of 1921, fixing the salaries of the assistant clerk and deputy clerk of the Superior Court of Alamance County.

Referred to Committee on Salaries and Fees.

By Senator Dunagan: S. B. 189, a bill fixing the salaries and certain procedure with respect to the recorder's court of Rutherford County, and appointment of recorder and election of solicitor.

Upon motion of Senator Dunagan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Blue: S. B. 190, a bill to permit certain persons duly licensed as pharmacists in other States to stand the examination to practice pharmacy.

Referred to Committee on Public Health.

By Senator Hairfield: S. B. 191, a bill to enable poor persons convicted of capital felonies to appeal to the Supreme Court from sentences of death.

Referred to Committee on Judiciary No. 1.

By Senator Hairfield: S. B. 192, a bill to permit debtors seeking equitable relief to avail themselves of the statutes pertaining to usury.

Referred to Committee on Judiciary No. 1.

By Senator Hairfield: S. B. 193, a bill to empower the board of commissioners of Burke County to reduce the salaries of county officers.

Upon motion of Senator Hairfield, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Kirkpatrick: S. B. 194, a bill to amend section 7 of chapter 348, Public Laws of 1931, relating to electioneering on Primary Day.

Referred to Committee on Election Laws.

By Senators Moore and Summersill: S. B. 195, a bill to prohibit the levy and collection of any tax for public schools in any special tax school district of the State, to repeal the fifteen cents ad valorem tax now levied upon property for the conduct of the public schools, and to provide for a uniform system of standard public schools for the whole State for such term as may be provided by law to be supported wholly by the State from sources other than ad valorem tax on property.

Referred to Committee on Education.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 428, a bill to fill two vacancies on the board of Leaksville township railroad trustees.

Referred to Committee on Railroads.

H. B. 84, a bill to amend section 1 of chapter 336, Public Laws, 1931, providing for the reduction of license fees on automobiles.

Referred to Committee on Finance.

H. B. 157, a bill to amend chapter 336, Public Laws, 1931, so as to change the rates for semitrailers towed by passenger cars.

Referred to Committee on Finance.

H. B. 288, a bill to require the sheriff and tax collector, the clerk of the Superior Court, the register of deeds and the county accountant of Swain County to give bond in some Surety Company doing business in the State of North Carolina.

Referred to Committee on Judiciary No. 1.

H. B. 297, a bill to provide for the apprehension and return of persons escaping from penal and correctional institutions of the State.

Referred to Committee on Penal Institutions.



H. B. 380, a bill to shorten time for payment of gasoline tax, to regulate transportation by trucks and boats, provide for regular audit of accounts and to further safeguard payment and prevent evasion.

Referred to Committee on Finance.

H. R. 400, a joint resolution for the consideration of the North Carolina Legislature.

Placed upon the Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 135, a bill relating to foreclosure of mortgages or deeds of trust in Macon County.

Senator Griffin of Franklin offers an amendment.

Upon motion of Senator Patton, the bill is re-referred to the Committee on Judiciary No. 1.

H. B. 63, a bill to place the sheriff and tax collector of the county of Swain upon a commission basis and to place the chairman of the board of county commissioners of the county of Swain upon a per diem.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 105, a bill to amend chapter 463 of the Public-Local Laws, 1931, relating to the salary of the auditor of Cleveland County.

Passes its second and third readings and is ordered enrolled.

H. B. 278, a bill to amend section 3906 of the Consolidated Statutes of 1919, relating to fees of register of deeds in Scotland County.

Passes its second and third readings and is ordered enrolled.

S. B. 17, a bill relating to divorce.

The substitute offered by the Committee is adopted.

Upon the passage of the bill on its second reading, Senator Boggan calls for the ayes and noes.

The call is sustained.

The bill passes its second reading, ayes 32, noes 11, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Bell, Blackburn, Bland, Burgin, Clement, Corey, Cross, Dunagan, Efrd, Francis, Greene, Gwyn, Hanes, Hartsell, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—32.

Those voting in the negative are: Senators Barker, Beatty, Blackstock, Blue, Boggan, Grady, Griffin of Chowan, Griffin of Franklin, Hill, Land, McNeill of Cumberland—11.

Upon motion of Senator Griffin of Franklin, the bill remains upon the Calendar.

S. B. 138, a bill to prohibit the sale of convict made goods.

Senator Bailey offers an amendment.

Senator Cross offers an amendment.

Senator Gwyn offers an amendment.

Senator Hartsell offers an amendment.

Senator Land offers an amendment.

Upon motion of Senator Barker, the bill with pending amendments is referred to the Committee on Penal Institutions.

H. R. 81, a joint resolution requesting that all joint land banks and others holding mortgages or deeds of trust declare a moratorium until November 1, 1934, on all principal payments where interest and taxes are paid.

Passes its second and third readings and is ordered enrolled.

Senator Burgin rises to a point of personal privilege and submits the following statement, together with a copy of audit report of the North Carolina Park Commission.

"I stated on the floor of the Senate last week that I had heard innumerable surmises and rumors which led me to believe that there was something rotten in Denmark in regard to the Park Commission. I further stated that I had no proof of these surmises and rumors but I did have information that the Park Commission had on deposit in the Central Bank and Trust Company at Asheville, when it failed, the sum of around \$330,000.00, and that the Park Commission did not have any security for this money. I further stated that any government commission that placed that much money in a bank without security ought to be displaced. The statement which I made regarding the security for this money was made from information which came to me from a source which I considered reliable. I will frankly say that I was mistaken but in degree only, and after a check of the matter I find that at the time the bank closed the Park Commission did have their deposits covered by bond with the exception of \$47,716.35 as can be ascertained by Exhibit C of the audit made by the State Auditor. I am informed that there is still unpaid of the money the Park Commission had on deposit in the Central Bank and Trust Company at the time it failed the sum of \$122,716.35. I am informed by the Attorney General that he has instituted suit for the Park Commission in the court of Wake County endeavoring to collect on these bonds. After some delay I have secured a copy of the audit made by the State Auditor. One of the bonding companies, the Central Indemnity Company, has refused to pay for the reason, I am informed by the Attorney General, that they claim they canceled the bond prior to the time the bank failed, and the Park Commission has not filed a denial of the allegation by the Indemnity Company.

"I am substituting herewith comments made by the auditor on the audit, which shows that the Commission purchased during the term covered by this audit \$1,045,000 worth of property, and that the expenses of the Commission during the term of this audit was the sum of \$228,139.13 or 21.8 per cent of the total amount expended. I have been criticized by the Treasurer of the Park Commission (strange to say he is the only member who has taken an exception) for making the statement that there was something wrong in Denmark. I am now constrained to believe that it will extend further than Denmark."

Upon motion of Senator Moore, the report submitted with the statement of Senator Burgin is referred to the Committee on Reorganization of State Government.



Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 11 o'clock.

### THIRTY-SECOND DAY

SENATE CHAMBER,

THURSDAY, February 9, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor A. H. Graham.

Prayer is offered by Rev. E. C. Few, Edenton Street Methodist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senator T. L. Johnson.

Senator Rankin makes a report of the meeting of the National Legislators Conference held in Washington, D. C., February 3, 1933.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Kirkpatrick: S. B. 196, a bill to transfer the State Highway Patrol from the Highway Commission to the Governor of North Carolina, and require said patrol to perform such duties as prescribed by him and those prescribed by chapter 218, Public Laws of 1929, and chapter 381, Public Laws of 1931.

Referred to Committee on Judiciary No. 1.

By Senator Clement: S. B. 197, a bill to repeal chapter 28, Public Laws of 1929, being "An act to amend chapter 22, section 1138 of the Consolidated Statutes of North Carolina, relating to corporations."

Referred to Committee on Judiciary No. 1.

By Senator Clement: S. B. 198, a bill to repeal chapter 29, Public Laws of 1929, being "An act to amend chapter 22, section 1140 of the Consolidated Statutes of North Carolina, relating to corporations."

Referred to Committee on Judiciary No. 1.

By Senator Long: S. B. 199, a bill to consolidate the office of register of deeds of the Superior Court in the various counties of the State.

Referred to Committee on Judiciary No. 1.

By Senator Long: S. B. 200, a bill to place the name of Mrs. Helen Allen on the pension roll.

Referred to Committee on Pensions.

By Senator Francis: S. B. 201, a bill to regulate public drunkenness in Haywood County by amending chapter 477, Public Laws of 1931.

Referred to Committee on Judiciary No. 2.

By Senator McNeill of Ashe, by request: S. B. 202, a bill to amend the State fish and Game Laws as relating to the Department of Conserva-

tion and Development, providing for the appointment of a fish and game commission, whose services shall be without compensation.

Referred to Committee on Game Laws.

By Senator Ingram: S. B. 203, a bill to save the homes of distressed people in North Carolina.

Referred to Committee on Finance.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 376, a bill to amend chapter 90 of the Public Laws of 1931, relating to the fees of the Recorder's Court of Monroe and Union County.

Referred to Committee on Salaries and Fees.

H. B. 388, a bill to establish for the city of Charlotte the Charlotte Firemen's Retirement Fund Association.

Referred to Committee on Judiciary No. 2.

H. B. 302, a bill to amend section 49 of the Consolidated Statutes of North Carolina, relating to service of process issued under said section.

Referred to Committee on Judiciary No. 1.

H. B. 331, a bill to prevent deception in the storing, selling or offering for sale any liquid fuels, lubricating soils, greases or other similar products; to prohibit the sale of such products from any container, tank, pump, or other distributing device, other than those of the manufacturer or distributor indicated by the name, trademark, symbol, sign or other distinguishing mark appearing upon said tank or other container; to prohibit the imitation, design, symbol, color scheme, trade name, trade mark, or markings on any building or equipment of any marketer of liquid fuels, and for other purposes.

Referred to Committee on Judiciary No. 1.

H. B. 337, a bill amending chapter 651, Public Laws of 1909, as amended, relating to the municipal court of the city of Greensboro.

Referred to Committee on Courts and Judicial Districts.

#### ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 90, an act to amend chapter 277 of the laws of 1931, section 2, and abolishing the office of director of personnel, and transferring the duties and functions of said office to the Budget Bureau.

H. R. 1, a joint resolution requesting that all joint land banks and others holding mortgages or deeds of trust declare a moratorium until November 1, 1934, on all principal payments where interest and taxes are paid.

H. B. 105, an act to amend chapter 463 of the Public-Local Laws, 1931, relating to the salary of the Auditor of Cleveland County.



H. B. 223, an act to amend section 6360 of the Consolidated Statutes of 1919 to provide for supervision of certain assessment life insurance associations.

H. B. 278, an act to amend section 3907 of the Consolidated Statutes of 1919, relating to fees of register of deeds in Scotland County.

S. B. 77, an act to provide for the appointment of guardians of the estate under certain conditions.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 205, a bill to repeal chapter 174, Public-Local Laws, session 1927, being "An act to repeal the county primary law for Caldwell and Yancey Counties," and chapter 413, Public-Local Laws of 1929, amendatory to said chapter 174.

The bill passes its second reading.

Upon motion of Senator Patton, final action on the bill is deferred and it remains upon the Calendar.

H. B. 349, a bill to employ a court stenographer for the County of Ashe.

Upon motion of Senator McNeill of Ashe, the bill is referred to the Committee on Judiciary No. 2.

S. B. 17, a bill relating to divorces, upon third reading.

Senator Bailey offers an amendment.

Senator Boggan offers an amendment which is later withdrawn.

The amendment offered by Senator Bailey is adopted.

Upon the passage of the bill on its third reading Senator Griffin of Franklin calls for the ayes and noes.

The call is sustained.

The bill passes third reading, ayes 35, noes 11, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Bell, Blackburn, Bland, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efrd, Francis, Greene, Hanes, Hartsell, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—35.

Those voting in the negative are: Senators Beatty, Blackstock, Boggan, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hill, Hinsdale, Land, McNeill of Cumberland—11.

The bill, as amended, passed its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 93, a bill to abolish the Corporation Commission and to create the office of Utilities Commissioner, and to prescribe and define the functions, powers and duties of such Utilities Commissioner.

The amendment offered by the Committee is adopted.

Upon the passage of the bill on its second reading, Senator Blackstock calls for the ayes and noes.

The call is sustained.

Senator Griffin of Franklin explains his vote.

The bill passes its second reading, ayes 28, noes 20, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Blackburn, Blackstock, Bland, Burgin, Clement, Corey, Cross, Demp-

sey, Efird, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Ingram, Land, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Rankin, Summersill—28.

Those voting in the negative are: Senators Barker, Bell, Boggan, Brown, Clark, Dunagan, Francis, Greene, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Long, McNeill of Ashe, Noell, Patton, Sparger, Walker, Waynick—20.

Senator Dunagan objects to the final passage of the bill.

Senator Kirkpatrick moves that the Senate adjourn.

The motion fails.

Senator Bailey moves that the rules be suspended and that the bill be placed upon its third reading.

Upon this motion Senator Kirkpatrick calls for the ayes and noes.

The call is sustained.

The motion fails, ayes 29, noes 19, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackburn, Blackstock, Bland, Boggan, Burgin, Corey, Cross, Dempsey, Efird, Fuller, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Ingram, Land, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Rankin, Summersill, Walker—29.

Those voting in the negative are: Senators Bell, Brown, Clark, Clement, Dunagan, Francis, Grady, Greene, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Long, McNeill of Ashe, Noell, Patton, Sparger, Waynick—19.

The bill remains upon the Calendar.

Senator Corey moves that the Senate adjourn to meet tomorrow morning at 11:00 o'clock.

The motion is lost.

S. B. 134, a bill to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane.

Senator Kirkpatrick offers an amendment.

Upon motion of Senator Clement, action on the bill is deferred and it remains upon the Calendar.

S. B. 139, a bill to amend the Public Laws of 1917, chapter 136, as set forth in article 19, Consolidated Statutes, part 2, plan "B" relating to municipal corporations.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 170, a bill granting the right to E. A. Moody of Mecklenburg County to practice dog surgery and to treat dogs without standing examination or buying the license as required.

Senator Boggan offers an amendment which is adopted.

The bill fails to pass its second reading.

Upon motion of Senator Bailey, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.



**THIRTY-THIRD DAY**

SENATE CHAMBER,

FRIDAY, February 10, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor A. H. Graham.

Prayer is offered by Rev. Frederick C. Redfern, President of Shaw University of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators James L. Bridger and W. E. Lynch.

**REPORTS OF COMMITTEES**

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Walker, for the Committee on Election Laws:

H. B. 37, a bill to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Union County from the absentee voters law, with a favorable report.

H. B. 101, a bill to amend chapter 59, Private Laws of North Carolina, session of 1913, relating to city elections in the city of Raleigh, with a favorable report.

H. B. 190, a bill to repeal the absentee ballot law for Yancey, Wake and Wayne counties, with a favorable report.

By Senator Frances, for the Committee on Railroads:

H. B. 428, a bill to fill two vacancies on the Board of Leaksville Township Railroad Trustees, with a favorable report.

By Senator Hanes, for the Committee on Insurance:

H. B. 222, a bill to amend section 6442 of the Consolidated Statutes of 1919, and to require casualty and surety companies to make deposits, with a favorable report.

By Senator Joyner, for the Committee on Penal Institutions:

S. R. 174, a resolution to require a committee to secure and submit estimates as to the cost of replacing all wooden materials in the State Prison with steel and concrete structure, with a favorable report.

H. B. 297, a bill to provide for the apprehension and return of persons escaping from penal and correctional institutions of the State, with a favorable report.

By Senator Grady, for the Committee on Judiciary No. 2:

S. B. 201, a bill to regulate public drunkenness in Haywood County by amending chapter 477, Public Laws of 1931, with a favorable report.

H. B. 388, a bill to establish for the city of Charlotte the Charlotte Firemen's Retirement Fund Association, with a favorable report.

H. B. 180, a bill to repeal chapter 23, Public-Local Laws, extra session 1924, relating to rural policemen in Currituck County, with a favorable report.

#### ENGROSSED BILLS

Senator Hartsell for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 17, a bill relating to divorces.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolution are introduced, read the first time, and disposed of as follows:

By Senators Blue and Hill: S. B. 204, a bill to reorganize agriculture in North Carolina, to appoint a board of agriculture, and to enlarge the powers of the board of agriculture, and to define the functions of the Department of Agriculture.

Referred to Committee on Agriculture.

By Senator Walker: S. B. 205, a bill to amend chapter 714 of the Public Laws of North Carolina, session 1909, relating to the Alamance Battle Ground Company.

Upon motion of Senator Walker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Francis: S. B. 206, a bill to amend chapter 402, being "An act to authorize, empower and direct the Sheriff and other tax collecting officers in certain counties and municipalities to establish a partial payment plan for the collection of taxes" and to add the counties of Buncombe, Haywood and Rowan to the provisions of said act.

Referred to Committee on Judiciary No. 1.

By Senator Kirkpatrick: S. B. 207, a bill to add to the standards of capacity measure the one-third quart and legalizing its use.

Referred to Committee on Judiciary No. 1.

By Senator McNeill of Cumberland: S. B. 208, a bill to amend section 1013 of the Consolidated Statutes of North Carolina.

Referred to Committee on Judiciary No. 1.

#### PETITIONS AND MEMORIALS

A petition of citizens requesting the abolition of the present Workmen's Compensation Act, the Industrial Commission and any and all other such public burdens and expensive and troublesome nuisances, is presented by Senator Kirkpatrick and referred to the Committee on Insurance.

The President announces receipt of a Joint Resolution of the General Assembly of Tennessee endorsing and approving the enactment by the Federal Congress of any legislation along the lines of Frasier Bill S-1197 or any other similar or improved bills providing for the refinancing of



existing outstanding farm mortgages, and the same is referred to the Committee on Finance.

#### ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 71, an act to amend chapter 338, section 1, Public Laws of 1931, relating to the awarding of contracts by boards or officers or local governmental units until competitive bids are received therefor.

S. B. 73, an act to amend section 1970 of the Consolidated Statutes, relating to Sunday fishing in Onslow County.

S. B. 162, An act to validate the acts of A. L. Woolard performed by him as justice of the peace, since April 7, 1931, and to appoint said A. L. Woolard a justice of the peace for Carolina Township, Pitt County.

S. B. 189, an act fixing the salaries and certain procedure with respect to the Recorder's Court of Rutherford County, and appointment of Recorder and election of Solicitor.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 392, a bill to authorize the city of Hendersonville to acquire title to land suitable for golf course purposes, and to further authorize the city of Hendersonville to construct and build a golf course or to lease said land for that purpose to others in its discretion.

Referred to Committee on Counties, Cities and Towns.

H. B. 416, a bill making the Register of Deeds of Macon County, North Carolina, public accountant for said county.

Referred to Committee on Finance.

H. B. 423, a bill to provide for the collection of taxes in the town of Elk Park, Avery County.

Referred to Committee on Finance.

H. B. 479, a bill to amend chapter 273 of Public Laws of 1929, relating to the punishment of makers of worthless checks in Surry County.

Referred to Committee on Judiciary No. 1.

H. B. 259, a bill to amend section 2623 of the Consolidated Statutes, relating to corporate powers of municipal corporations, giving to Cumberland County and cities and towns therein the right and power to grant franchises.

Referred to Committee on Judiciary No. 2.

H. B. 371, a bill to provide further economy in collection of delinquent taxes in Brunswick County.

Referred to Committee on Finance.

H. B. 424, a bill to extend the time for payment of street assessments in the town of Ahoskie, Hertford County.

Referred to Committee on Finance.

H. B. 328, a bill to amend certain sections of article 4, chapter 37, North Carolina Code (Michie's) of 1931, relating to license fees and taxes upon the fishing industry of the State.

Referred to Committee on Fish and Fisheries.

H. B. 412, a bill to amend section 4149 of the Consolidated Statutes of North Carolina, relating to the probate of wills.

Referred to Committee on Judiciary No. 1.

H. B. 393, a bill to repeal chapter 229, Public Laws, session of 1931, authorizing the Board of County Commissioners of Columbus County to appoint rural policemen for Columbus County.

Referred to Committee on Counties, Cities and Towns.

H. B. 476, a bill to amend chapter 86, Public-Local Laws of North Carolina, session of 1931, relating to salaries of officers of Mecklenburg County and to abolish the office of Treasurer of Mecklenburg County.

Referred to Committee on Judiciary No. 2.

H. B. 485, a bill to amend chapter 442, Public-Local Laws, 1931, relative to issuance and filing of pleadings in claim and delivery actions.

Referred to Committee on Judiciary No. 1.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 93, a bill to abolish the Corporation Commission and to create the office of Utilities Commissioner and to prescribe and define the functions, powers and duties of such Utilities Commissioner, upon third reading.

Senator Dunagan moves that the bill be re-referred to the Committee on Judiciary No. 1.

Upon this motion Senator Dunagan calls for the ayes and noes.

The call is sustained.

The motion prevails, ayes 27, noes 21, as follows:

Those voting in the affirmative are: Senators Bailey, Barker, Beatty, Bell, Blackburn, Boggan, Brown, Clark, Clement, Dempsey, Dunagan, Efird, Francis, Greene, Hairfield, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Long, McNeil of Ashe, Noell, Patton, Sparger, Walker, Waynick—27.

Those voting in the negative are: Senators Bagley, Bailey, Blackstock, Bland, Blue, Burgin, Cross, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Land, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Rankin, Summersill—21.

The bill is referred to the Committee on Judiciary No. 1.

S. B. 114, a bill to limit highway work of the State Highway Commission or the Highway Department for the period of two years during the present biennium, and to require that no new construction shall be undertaken during said period.

The substitute offered by the Committee is adopted.

Senator Francis offers an amendment.

Senator Moore offers an amendment which fails of adoption.

The amendment offered by Senator Francis is adopted.

The bill, as amended, passes its second reading, and upon objection to its final passage by Senator Aiken, the bill remains upon the Calendar.



S. B. 134, a bill to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane.

Senator Kirkpatrick offers an amendment which fails of adoption.

Senator Kirkpatrick offers a second amendment which fails of adoption. Passes its second and third readings and is ordered engrossed.

Senator Kirkpatrick requests that he be recorded as voting no upon the third reading of this bill.

S. B. 184, a bill to amend section 5003 (1), chapter 87-a of the Consolidated Statutes, relative to autopsy.

Passes its second and third readings and is ordered sent to the House of Representatives.

Senator Aiken gives notice that at tomorrow's session, he will lodge a motion to reconsider the vote by which this bill passed its third reading.

H. B. 15, a bill to repeal chapter 129 of the Public Laws of 1921, being "An act to regulate the issuance of license to marry, and providing for the physical examination of applicants."

Upon adoption of the Committee substitute, Senator Sparger calls for the ayes and noes.

The call is sustained.

The substitute is adopted, ayes 22, noes 21, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Blackstock, Bland, Clark, Clement, Corey, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hinsdale, Joyner, Land, Long, MacLean, McBryde, Moore—22.

Those voting in the negative are: Senators Bell, Blue, Boggan, Burgin, Dempsey, Dunagan, Efird, Fuller, Greene, Hanes, Hill, Ingram, Kirkpatrick, McNeill of Ashe, McNeill of Cumberland, Noel, Patton, Sparger, Summersill, Walker, Waynick—21.

An amendment offered by Senator Clement is adopted.

A second amendment offered by Senator Clement is adopted.

The substitute bill as amended passes its second reading.

Upon objection of Senator Sparger to its final passage, the bill remains upon the Calendar.

H. B. 161, a bill to amend chapter 52 of the Public Laws of 1931, relating to plumbing and heating contractors.

The bill passes its second reading.

Upon objection of Senator Dempsey to its final passage the bill remains upon the Calendar.

H. B. 189, a bill to amend chapter 88, Public Laws, 1915, relating to eradication of hog cholera in Wilson County.

Senator Dempsey offers an amendment which is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 305, a bill to validate the acts of notaries public who were holding other offices at the time acknowledgments were taken.

Upon motion of Senator Hartsell, the bill is re-referred to the Committee on Judiciary No. 2.

H. R. 400, a joint resolution for the consideration of the North Carolina Legislature.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Joyner, S. B. 138, a bill to prohibit the sale of convict made goods, is taken from the Committee on Penal Institutions and referred to the Committee on Judiciary No. 1.

Upon motion of Senator Hill, S. B. 115, a bill to amend chapter 21 of the Consolidated Statutes, 1919, to make more effective the regulation of public utilities, is taken from the Committee on Corporations and referred to the Committee on Judiciary No. 1.

Upon motion of Senator Hinsdale, S. B. 87, a bill preventing any member of the General Assembly from accepting during his term of office a position created by such General Assembly, is taken from the unfavorable Calendar and placed upon the Calendar.

Senator Long moves that when the Senate adjourn today it adjourn in honor of the memory of Dr. Clarence A. Shore.

The motion prevails.

Senator Burgin moves that the Senate adjourn to meet tomorrow morning at 10:00 o'clock, at which time only public-local bills be considered.

Senator Efrd offers a substitute motion that the Senate adjourn to meet tomorrow morning at 10:00 o'clock and at that time only public-local bills and public resolutions be considered. The substitute motion prevails and accordingly the Senate adjourns in memory of Dr. Clarence A. Shore.

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### THIRTY-FOURTH DAY

SENATE CHAMBER,

SATURDAY, February 11, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor A. H. Graham.

Prayer is offered by Rev. H. A. Cox, Saint Saviour's Episcopal Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Efrd: S. R. 209, a joint resolution requesting Senators and Representatives in Congress from North Carolina to oppose any reduction of the United States Tariff imposed on imported fruits and vegetables into the United States.

Upon motion of Senator Efrd, the rules are suspended and the resolution is placed upon its immediate readings.



Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator McNeill of Ashe: S. B. 210, a bill to confer civil jurisdiction upon the County Recorder's Court of Watauga County.

Referred to Committee on Judiciary No. 2.

By Senator Bell: S. B. 211, a bill to incorporate Hubert M. Smith Post No. 77, American Legion, Hendersonville, North Carolina, for the purpose of acquiring title to real estate in Henderson County to be used as a meeting place or club house for said post.

Referred to Committee on Judiciary No. 1.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 134, a bill to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 80, a bill to amend chapter 278 of the Public Laws, 1931, relating to the number of members of the Board of Education of Wilkes County.

Referred to the Committee on Education.

H. B. 249, a bill to grant a new charter for the town of Pinebluff, Moore County, North Carolina.

Referred to Committee on Judiciary No. 2.

H. B. 301, a bill to amend section 106 of the Consolidated Statutes of North Carolina, relating to service of process issued under said action.

Referred to Committee on Judiciary No. 1.

H. B. 344, a bill to fix the number and terms of officers of the Board of Education for the County of Ashe and to define their duties.

Referred to Committee on Judiciary No. 2.

H. B. 439, a bill to amend chapter 281 of the Public Laws of 1931, so as to prevent Clerk of the Superior Court from loaning trust funds.

Referred to Committee on Judiciary No. 1.

H. B. 442, a bill to extend the time for the institution of suits on tax certificates for the Town of Snow Hill, North Carolina.

Referred to Committee on Finance.

H. B. 443, a bill to authorize the commissioners of Green County to appoint a tax collector and fix his compensation.

Referred to Committee on Finance.

H. B. 447, a bill to fix the salary of the Recorder of the Recorder's Court of Camden County.

Referred to Committee on Salaries and Fees.

H. B. 458, a bill to amend chapter 60 of the Public-Local Laws of 1929, relating to the nomination of members of the Board of Education of Camden County.

Referred to Committee on Education.

H. B. 462, a bill to provide compensation to the members of the Board of Commissioners of the City of Hendersonville for their services.

Referred to Committee on Salaries and Fees.

H. B. 465, a bill to appoint a member of the Board of Education of Jones County, to fill vacancy caused by resignation of George Hughes to become Clerk, Superior Court.

Referred to Committee on Education.

H. R. 492, a joint resolution of the General Assembly of North Carolina, providing for a report by the head of each and every department of the State of North Carolina, reporting the names and amount of compensation received by any employee of said departments from the Federal Government.

Referred to Committee on Salaries and Fees.

H. B. 461, a bill to fix the compensation of the members of the Board of County Commissioners of Macon County.

Referred to Committee on Salaries and Fees.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 201, a bill to regulate public drunkenness in Haywood County by amending chapter 477, Public-Local Laws of 1931.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 37, a bill to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes exempting Union County from the absentee voters law.

Passes its second and third readings and is ordered enrolled.

H. B. 101, a bill to amend chapter 59, Private Laws of North Carolina, 1913, relating to city elections in the City of Raleigh.

Passes its second and third readings and is ordered enrolled.

H. B. 180, a bill to repeal chapter 23, Public-Local Laws, extra session 1924, relating to rural policemen in Currituck County.

Passes its second and third readings and is ordered enrolled.

H. B. 388, a bill to establish for the City of Charlotte the Charlotte Firemen's Retirement Fund Association.

Passes its second and third readings and is ordered enrolled.

H. B. 428, a bill to fill two vacancies on the board of Leaksville Township Railroad Trustees.

Passes its second to third readings and is ordered enrolled.

Upon motion of Senator Green, the Senate adjourns to meet Monday night at 8:00 o'clock.



## THIRTY-FIFTH DAY

## SENATE CHAMBER

MONDAY, February 13, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor A. H. Graham.

Prayer is offered by Rev. Frank C. Hawkins, First Baptist Church of Sanford, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hanes, for the Committee on Insurance:

S. B. 60, a bill to repeal chapter 120 of the Public Laws of 1929, the same being known as the Workmen's Compensation Act, with an unfavorable report.

S. B. 121, a bill to amend chapter 120, Public Laws 1929, the same being known as Workmen's Compensation Act, so as to provide that employers and employees of electric street railroads may come under the provisions thereof, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 138, a bill to permit the sale of convict made goods, with a favorable report as amended.

H. B. 288, a bill to require the Sheriff and tax collector, the Clerk of the Superior Court, the Register of Deeds and the County Accountant of Swain County to give bond in some surety company doing business in the State of North Carolina, with a favorable report.

H. B. 301, a bill to amend section 106 of the Consolidated Statutes of North Carolina, relating to service of process issued under said section, with a favorable report.

H. B. 302, a bill to amend section 49 of the Consolidated Statutes of North Carolina, relating to service of process issued under said section, with a favorable report.

H. B. 412, a bill to amend section 4149 of the Consolidated Statutes of North Carolina, relating to the probate of wills, with a favorable report.

Senator Rankin presents the following report for the Committee on Finance:

*To the Honorable Members of the General Assembly:*

Believing that it is the desire of both branches of your body to learn something as to the action of the Committee on Finance, having through its sub-committee the undertaking of the draft of a new Revenue Bill, it is assumed that the members of the General Assembly know something of the stupendous task being undertaken to raise the necessary revenue to

meet the appropriations of the State and safeguard its credit. We have been working as continuously as physically possible in the discharge of our duties. We beg to advise that it is our belief that we will be able to submit draft of Revenue Bill being made by the Sub-Committee to the joint Finance Committees the last part of the week, and trust that the action of such joint Committees can be brought before the General Assembly during the early part of next week.

Respectfully submitted,

R. G. RANKIN,  
*Chairman Senate Finance Committee*  
R. A. DOUGHTON,  
*Chairman House Finance Committee.*

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Walker: S. B. 212, a bill to amend chapter 97 of the Consolidated Statutes of North Carolina, volume 2, and chapter 164 of the Public Laws of 1929, so as to make the administration of the election laws more economical and more efficient.

Referred to Committee on Election Laws.

By Senator Barker: S. B. 213, a bill repealing section 64, chapter 120 of the Public Laws of 1929, and enacting in lieu thereof a new section.

Referred to Committee on Insurance.

By Senator Barker: S. B. 214, a bill to repeal section 60, chapter 120, Public Laws of 1929, and enacting a new section in lieu thereof.

Referred to Committee on Insurance.

By Senator Barker: S. B. 215, a bill repealing section 25, chapter 120 of the Public Laws of 1929, and enacting a new section in lieu thereof.

Referred to Committee on Insurance.

By Senator Patton: S. B. 216, a bill to increase the number of unemployed and to further encourage activities of the Red Cross relief work in the State.

Referred to Committee on Public Welfare.

By Senator Bell: S. B. 217, a bill to abolish sub-section (C) of section 53, Public Laws of the session of 1929, and enacting a new sub-section in lieu thereof, relating to the Workmen's Compensation Act.

Referred to Committee on Insurance.

By Senator Kirkpatrick: S. B. 218, a bill to amend section 41, chapter 120 of the Public Laws of 1929, increasing the total compensation payable under the North Carolina Workmen's Compensation Act.

Referred to Committee on Insurance.

By Senator Kirkpatrick: S. B. 219, a bill to amend section 11, chapter 120 of the Public Laws of 1929, by adding a sub-section thereto, giving to an injured employee the right of election of remedies.

Referred to Committee on Insurance.



By Senator Kirkpatrick: S. B. 220, a bill to amend section 40, chapter 120 of the Public Laws of 1929, by adding a new section.

Referred to Committee on Insurance.

By Senator Kirkpatrick: S. B. 221, a bill to amend chapter 45 of the Public Laws of North Carolina, session 1931.

Referred to Committee on Judiciary No. 2.

By Senator Summersill: S. B. 222, a bill to amend chapter 93 of the 1921 Public Laws, relating to the payment to the Clerk of the Superior Court of sums of money, not exceeding \$300.00 due and owing to persons dying intestate.

Referred to Committee on Judiciary No. 1.

By Senator Griffin of Franklin: S. B. 223, a bill to define and establish the Senatorial Districts of the State as required by the Constitution, and to make the apportionment of the members of the Senate.

Referred to Committee on Senatorial Districts.

By Senator Francis: S. B. 224, a bill to abolish penalties on all back taxes for the years 1928, 1929, 1930 and 1931 in the counties of Haywood, Jackson and Transylvania and each and every municipality therein.

Referred to Committee on Finance.

#### PETITIONS AND MEMORIALS

A petition from citizens of Wilkes County protesting against the legalization of the sale of beer and light wines or the modification or repeal of the Turlington Act, is presented by Senator Blackburn and referred to the Committee on Judiciary No. 1.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 35, an act to amend section 12½ of chapter 430, Public Laws 1931, relating to summer school requirements for teachers.

S. B. 78, an act to provide for free privilege license for the blind to transact business in this State.

S. B. 152, an act to amend chapter 441 of the Public Laws of 1931, relative to certain special taxes in Duplin, Dare, Avery and other counties.

H. B. 63, an act to place the Sheriff and tax collector of the County of Swain upon a commission basis and to place the Chairman of the Board of County Commissioners of the County of Swain upon a per diem.

S. B. 186, an act to permit an extension on all loans to war veterans under the World War Veterans' Loan Act.

H. R. 400, a proposed joint resolution for consideration of the North Carolina State Legislature.

H. B. 37, an act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Union County from the absentee voters law.

H. B. 101, an act to amend chapter 59, Private Laws of North Carolina, session of 1913, relating to city elections in the city of Raleigh.

H. B. 180, an act to repeal chapter 23, Public-Local Laws, extra session, 1924, relating to rural policemen in Currituck County.

H. B. 388, an act to establish for the city of Charlotte the Charlotte Firemen's Retirement Fund Association.

H. B. 428, an act to fill two vacancies on the Board of Leaksville Township Railroad Trustees.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 238, a bill to amend or repeal a portion of chapter 538, Public-Local Laws of 1911, and chapter 369, Public-Local Laws of 1915, chapter 493, Public-Local Laws of 1917, relating to drainage in Mecklenburg County.

Referred to Committee on Judiciary No. 2.

H. B. 385, a bill to amend chapter 121, Private Laws, 1931, being "An act to incorporate the City of Asheville, to define its limits, to provide for its government and for other purposes."

Referred to Committee on Counties, Cities and Towns.

H. B. 471, a bill to relieve church property in the Town of Enfield, Halifax County, from all street paving assessments if approved by a majority of the voters.

Referred to Committee on Finance.

H. B. 481, a bill to amend the charter of the City of Gastonia, N. C., with respect to limitation of time to give notice of claims arising in tort.

Referred to Committee on Judiciary No. 1.

H. B. 487, a bill to amend chapter 111, Public-Local Laws of 1929, relative to tax collector of Rutherford County.

Referred to Committee on Finance.

H. B. 495, a bill to validate the acts of the Board of County Commissioners of Martin County in postponing the sale of land for taxes in said county.

Upon motion of Senator Bailey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 205, a bill to repeal chapter 174, Public-Local Laws, session 1927, being "An act to repeal the county primary law for Caldwell and Yancey counties," and chapter 413, Public-Local Laws of 1929, amendatory to said chapter 174, upon third reading.

Passes its third reading and is ordered enrolled.

H. B. 15, a bill to repeal chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry and providing for the physical examination of applicants," upon third reading.



Senator Hinsdale moves that the bill be re-referred to the Committee on Judiciary No. 1.

The motion is lost.

Upon passage of the bill on its third reading, Senator Sparger calls for the ayes and noes.

The call is sustained.

The bill passes its third reading, ayes 26, noes 20, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Burgin, Clark, Clement, Corey, Francis, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hinsdale, Land, MacLean, McDuffee, McNeill of Ashe, Moore, Summersill—26.

Those voting in the negative are: Senators Bagley, Blue, Boggan, Cross, Dempsey, Dunagan, Efird, Fuller, Greene, Hanes, Hill, Ingram, Kirkpatrick, McBryde, McNeill of Cumberland, Noell, Rankin, Sparger, Walker, Waynick—20.

The bill is ordered sent to the House of Representatives for concurrence in the Senate substitute.

S. B. 114, a bill to limit highway work of the State Highway Commission or the Highway Department for the period of two years during the present biennium, and to require that no new construction shall be undertaken during said period, upon third reading.

Passes its third reading and is ordered engrossed and sent to the House of Representatives.

H. B. 161, a bill to amend chapter 52 of the Public Laws of 1931, relating to plumbing and heating contractors, upon third reading.

Passes its third reading and is ordered enrolled.

S. B. 87, a bill preventing any member of the General Assembly from accepting, during his term of office a position created by such General Assembly.

Upon the passage of the bill on its second reading, Senator Hinsdale calls for the ayes and noes.

The call is sustained.

Passes its second reading, ayes 24, noes 22, as follows:

Those voting in the affirmative are: Senators Barker, Blackburn, Blackstock, Bland, Boggan, Brown, Burgin, Clark, Corey, Cross, Dunagan, Francis, Grady, Greene, Griffin of Franklin, Hairfield, Hill, Hinsdale, Kirkpatrick, McNeill of Ashe, Moore, Sparger, Summersill, Waynick—24.

Those voting in the negative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blue, Clement, Dempsey, Efird, Fuller, Griffin of Chowan, Gwyn, Hanes, Hartsell, Ingram, Land, McBryde, McDuffee, McNeill of Cumberland, Noell, Patton, Walker—22.

Upon objection by Senator Bailey to its final passage, the bill remains upon the Calendar.

S. R. 174, a resolution to require a committee to secure and submit estimates as to the cost of replacing all wooden materials in the State Prison with steel and concrete structure.

Senator Gwyn offers an amendment.

Senator Ingram offers an amendment.

Senator Kirkpatrick offers an amendment which is adopted.

The amendment offered by Senator Ingram is adopted.

The amendment offered by Senator Gwyn is adopted.

The resolution as amended is adopted.

H. B. 190, a bill to repeal the absentee ballot law for Yancey, Wake and Wayne, counties.

Senator Bland offers an amendment.

Upon motion of Senator Hinsdale, action on the bill is deferred, and the bill remains on the Calendar.

Senator Bailey moves that S. R. 209, a joint resolution requesting Senators and Representatives in Congress from North Carolina to oppose any reduction of the United States tariff imposed on imported fruits, etc., be ordered recalled from the House of Representatives.

The motion is lost.

Upon motion of Senator Grady, H. B. 234, a bill to amend chapter 44 of the Public Laws of 1929, relating to the advertisement of judicial foreclosure sales and to validate sales made thereunder, is taken from the unfavorable Calendar and re-referred to the Committee on Judiciary No. 2.

Upon motion of Senator Rankin, the Senate adjourns to meet tomorrow at 12:00 o'clock m.

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### THIRTY-SIXTH DAY

SENATE CHAMBER,

TUESDAY, February 14, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. A. R. Freeman, Rector Sacred Heart Cathedral of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senator W. E. Harrison.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 197, a bill to repeal chapter 28, Public Laws of 1929, being "An act to amend chapter 22, section 1138 of the Consolidated Statutes of North Carolina, relating to corporations," with a favorable report.

S. B. 222, a bill to amend chapter 93 of the 1921 Public Laws, relating to the payment to the clerk of the Superior Court of sums of money, not exceeding \$300 due and owing to persons dying intestate, with a favorable report.



S. B. 211, a bill to incorporate Hubert M. Smith Post No. 77, American Legion, Hendersonville, North Carolina, for the purpose of acquiring title to real estate in Henderson County to be used as a meeting place or club house for said post, with a favorable report.

H. B. 479, a bill to amend chapter 273 of Public Laws of 1929, relating to the punishment of makers of worthless checks in Surry County, with a favorable report.

H. B. 331, a bill to prevent deception in the storing, selling or offering for sale any liquid fuels, lubricating oils, greases or other similar products; to prohibit the sale of such products from any container, tank, pump, or other distributing device, other than those of the manufacturer or distributor indicated by the name, trade mark, symbol, sign or other distinguishing mark appearing upon said tank, pump or other container; to prohibit the imitation, design, symbol, color scheme, trade name, trade mark or markings on any building or equipment of any marketer of liquid fuels; and for other purposes, with a favorable report.

S. B. 99, a bill to amend chapter 124 of the Public Laws of North Carolina, session 1927, governing the sale of lands of life tenants for re-investment and for improving other unimproved real estate, with a favorable report.

S. B. 181, a bill to amend chapter 86, Public Laws of North Carolina, session 1925, the same being "An act to authorize and empower administrators, executors or collectors of a decedent's estate to renew the obligation of decedent without incurring personal liability on the part of the administrator, executor or collector," with a favorable report.

S. B. 191, a bill to enable poor persons convicted of capital felonies to appeal to the Supreme Court from sentence of death, with a favorable report.

S. B. 192, a bill to permit debtors seeking equitable relief to avail themselves of the statutes pertaining to usury, with a favorable report.

S. B. 198, a bill to repeal chapter 29, Public Laws of 1929, being "An act to amend chapter 22, section 1140 of the Consolidated Statutes of North Carolina, relating to corporations," with a favorable report.

S. B. 199, a bill to consolidate the office of register of deeds with that of the clerk of the Superior Court in the various counties of the State, with an unfavorable report.

By Senator Clement, for the Committee on Finance:

H. R. 166, a joint resolution memorializing the Congress of the United States to exercise to the fullest extent the powers conferred upon it by the Federal Constitution to regulate and fix the value of money, and to promote the general welfare, to the end that the commodity price level may be lifted, colossal bankruptcies prevented, and our social, economic, and governmental structure preserved, with an unfavorable report.

S. B. 28, a bill to require the sheriff or tax collector of Haywood County and the tax collectors of all municipalities in said county to accept partial payments on taxes, with an unfavorable report.

H. B. 363, a bill amending Volume I, section 1389, of the Consolidated Statutes of North Carolina and acts amendatory thereto, relating to the financial agent for the County of Chatham, with a favorable report.

H. B. 291, a bill to amend chapter 37, Public-Local Laws of 1931, relating to tax collector for Brunswick County, with a favorable report.

H. B. 373, a bill to authorize, empower, and direct the sheriff and/or tax collector of Jones County to accept county vouchers in payment of taxes, with a favorable report.

H. B. 274, a bill to extend the time for payment of water and sewer assessments due to the board of water commissioners of Hendersonville, North Carolina, with a favorable report.

H. B. 157, a bill to amend chapter 336, Public Laws 1931, so as to change the rates for semi-trailers towed by passenger cars, with a favorable report.

H. B. 325, a bill to repeal chapter 112 of Public-Local Laws of 1931, relating to the bond of county treasurer of Currituck County, with a favorable report.

H. B. 292, a bill to amend chapter 411, Public-Local Laws of 1923, relating to payment of premiums on bonds of officials of Brunswick County, with a favorable report.

H. B. 244, a bill to amend section 2312 of the Consolidated Statutes, exempting Macon County from the requirement of payment of taxes by jurors, with a favorable report.

H. R. 116, a joint resolution requesting Congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the States, and that the Congress balance its budget without further increase in the tax levies, with a favorable report.

H. B. 443, a bill to authorize the commissioners of Greene County to appoint a tax collector and fix his compensation, with a favorable report.

S. B. 206, a bill to amend chapter 402, being "An act to authorize, empower and direct the sheriff and other tax collecting officers in certain counties and municipalities to establish a partial payment plan for the collection of taxes" and to add the Counties of Buncombe, Haywood and Rowan to the provisions of said act, with a favorable report.

S. B. 119, a bill to amend section 1681 of the Consolidated Statutes, relating to the tax on dogs, with a favorable report as amended.

S. B. 179, a bill to amend chapter 83 of Public Laws of 1927, decreasing the payments to be made by those entering land in Cherokee, Clay, Graham, Macon and Swain counties, with a favorable report.

S. B. 131, a bill to validate certain sales of real and personal property made by sheriffs under execution, with a favorable report.

H. B. 323, a bill to authorize, empower and direct the sheriff and/or tax collector of Caswell County to accept county vouchers in payment of taxes, with a favorable report.

H. B. 371, a bill to provide further economy in collection of delinquent taxes in Brunswick County, with a favorable report.

H. B. 348, a bill to prohibit the county of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness, with a favorable report.

H. B. 471, a bill to relieve church property in the town of Enfield, Halifax County, from all street paving assessments, if approved by a majority of the voters, with a favorable report.



H. B. 84, a bill to amend section 1 of chapter 336, Public Laws, 1931, providing for the reduction of license fees on automobiles, with an unfavorable report.

S. B. 163, a bill to amend chapter 427, section 153, Public Laws of 1931, relating to license taxes, with an unfavorable report.

H. B. 423, a bill to provide for the collection of taxes in the town of Elk Park, Avery County, with an unfavorable report.

S. R. 76, a resolution to memorialize Congress to increase the currency and the medium of exchange for the citizens and business interests throughout the United States, with an unfavorable report.

S. B. 180, a bill to allow the counties, municipalities, and other governing agencies to refund tax sales certificates, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 18, a bill to validate the action of the county commissioners of Northampton County in postponing sale of land for taxes for the years 1930 and 1931, with an unfavorable report.

S. B. 136, a bill to provide the time in which real estate sold for taxes or assessments by Haywood, Jackson and Transylvania Counties and/or any municipality therein may be redeemed, with an unfavorable report.

S. B. 25, a bill to protect delinquent tax payers from loss of property during the present emergency, and to assist counties, cities and towns in the orderly collection of delinquent taxes, with an unfavorable report.

S. B. 83, a bill to provide for redemption of real estate purchased by counties or other political subdivisions under tax foreclosure suits, and for an extension of time within which to pay delinquent taxes, and to reduce penalties, court costs and interest rate upon taxes, with an unfavorable report.

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 306, a bill to amend section 2 of chapter 28 of the Public-Local Laws, regular session of the General Assembly of North Carolina, ratified the 10th day of February, 1931, relative to pay of clerk of the Superior Court, with a favorable report.

H. B. 318, a bill giving the board of county commissioners of Gaston County authority to fix the salaries of county officers of Gaston County, with a favorable report.

By Senator Moore, for the Committee on Reorganization of State Government:

S. B. 96, a bill to amend chapter 2, Public Laws 1921, and all acts amendatory thereof and additional thereto, and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives:

S. B. 114, a bill to limit highway work of the State Highway Commission or the Highway Department for the period of two years during the present biennium, and to require that no new construction shall be undertaken during said period.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Ingram: S. B. 225, a bill to be known as the valued policy law to safeguard the interest of persons, firms and corporations purchasing fire insurance, value stated in policy, total and partial loss-contributive insurance liability.

Referred to Committee on Insurance.

By Senator Land: S. B. 226, a bill to amend chapter 120 of the Public Laws of 1929, known as the North Carolina Workmen's Compensation Act, so as to permit a review by judges of the Superior Court of the findings of fact and conclusions of law by the commission.

Referred to Committee on Insurance.

By Senator Greene: S. B. 227, a bill to repeal the absentee ballot law for Mitchell County.

Referred to Committee on Election Laws.

By Senator Brown: S. R. 228, a joint resolution relating to employees and salaries of all persons connected with North Carolina State College.

Referred to Committee on Salaries and Fees.

By Senator Clement: S. B. 229, a bill to amend section 150 of the Consolidated Statutes of North Carolina, to extend the time for the administration and final settlement of estates.

Referred to Committee on Judiciary No. 1.

#### ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 159, an act to authorize the issuance and sale of \$110,000.00 refunding bonds of the county of Wayne, to validate the issuance and sale of \$65,000.00 Wayne County School refunding bonds.

H. B. 161, an act to amend chapter 52 of the Public Laws of 1931, relating to plumbing and heating contractors.

H. B. 189, an act to amend chapter 88, Public Laws 1915, relating to eradication of hog cholera in Wilson County.

H. B. 205, an act to repeal chapter 174, Public-Local Laws, session 1927, being "An act to repeal the county primary law, for Caldwell and Yancey Counties" and chapter 413, Public-Local Laws of 1929, amendatory to said chapter 174.

H. B. 495, an act to validate the acts of the board of county commissioners of Martin County in postponing the sale of land for taxes in said county.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. R. 539, a joint resolution endorsing the Honorable Mrs. Lillie Morehead Mebane as Ambassador to the Court of Sweden.

Referred to Committee on Federal Relations.

H. R. 523, a joint resolution of the General Assembly of North Carolina approving the purposes of the Century of Progress Exposition to be held at Chicago from June first to November, 1933, and to authorize the participation of the State of North Carolina therein, and to call upon the people of the State for moral and financial coöperation.

Placed upon the Calendar.

H. R. 524, a joint resolution commending Congressman E. W. Pou for his patriotic speech advocating plenary power be given President-elect Roosevelt to reduce governmental costs.

Placed upon the Calendar.

H. B. 451, a bill to amend section 2808 of Consolidated Statutes of North Carolina, relating to collection of water rents.

Referred to Committee on Finance.

H. B. 529, a bill to authorize the commissioners of Hertford County to appoint an agent or agents for the collection of taxes in said county.

Upon motion of Senator Griffin of Chowan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 535, a bill to regulate salaries of the public officers of Northampton County.

Referred to Committee on Salaries and Fees.

H. B. 356, a bill to amend section 1461 of the Consolidated Statutes, relating to court stenographers.

Referred to Committee on Judiciary No. 1.

H. B. 377, a bill to amend chapter 170, Laws 1921, relating to standard weight packages of hominy and grits.

Referred to Committee on Agriculture.

H. B. 414, a bill to validate and authorize the sale of lands for taxes by municipalities in Haywood, Graham, Swain, Jones, Jackson and Cherokee Counties.

Referred to Committee on Finance.

S. B. 97, a bill to amend section 3890 of the Consolidated Statutes of North Carolina, and reducing the salaries of solicitors of the Superior Court, for concurrence in the House substitute.

Placed upon the Calendar.

## PETITIONS AND MEMORIALS

The President announces receipt of a letter from H. Montague relative to taxes and indebtedness of government and governmental units, which is referred to the Committee on Finance.

The President announces receipt of a letter from Victor C. McAdoo, Judge Advocate General U. C. V. Greensboro, N. C., outlining a plan to relieve local taxpayers, which is referred to the Committee on Finance.

The President announces receipt of a letter from E. L. Cox, relating to the Department of Health, which is referred to the Committee on Public Health.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 288, a bill to require the sheriff and tax collector, the clerk of the Superior Court, the register of deeds, and the county accountant of Swain County to give bond in some surety company doing business in the State of North Carolina.

Passes its second reading.

Upon objection by Senator Patton to its final passage, the bill remains upon the Calendar.

S. B. 117, a bill to authorize elections to be held in school districts in Rowan County for the purpose of submitting to the voters the question of revoking special school taxes.

Senator Clement offers a substitute which is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 121, a bill to amend chapter 120, Public Laws 1929, the same being known as "The Workmen's Compensation Act" so as to provide that employers and employees of electric street railroads may come under the provisions thereof.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 136, a bill to amend section 3484 of the Consolidated Statutes of North Carolina, relating to railroad policemen.

Passes its second reading.

Senator Hartsell offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 190, a bill to repeal the absentee ballot law for Yancey, Wake and Wayne Counties.

Senator Bland offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 222, a bill to amend section 6442 of the Consolidated Statutes of 1919, and to require casualty and surety companies to make deposits.

Senator Hinsdale offers an amendment which fails of adoption.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator McNeill of Ashe, the substitute for H. B. 15, a bill to repeal chapter 129, Public Laws 1921, being "An act regulating the issuance of license to marry and providing for the physical examination of applicants," is recalled from the House of Representatives.



Senator Kirkpatrick moves that S. B. 60, a bill to repeal chapter 120 of the Public Laws of 1929, the same being known as the Workmen's Compensation Act, be taken from the unfavorable Calendar and placed upon the Calendar.

The motion is lost.

Upon motion of Senator Clark, S. B. 151, a bill to establish the office of public cotton weigher for Township One of Edgecombe County, is taken from the Committee on Counties, Cities and Towns, and placed upon the Calendar.

Senator Aiken gives notice that he will not lodge his motion to reconsider the vote by which S. B. 184, a bill to amend section 5003 (1) chapter 87-A of the Consolidated Statutes, relative to autopsy, passed its third reading and the bill is ordered sent to the House of Representatives.

Upon motion of Senator Patton, Clarence Blackstock, Jr., son of Senator Blackstock of Buncombe is made an Honorary Page of the Senate.

Upon motion of Senator Blue, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

### THIRTY-SEVENTH DAY

SENATE CHAMBER.

WEDNESDAY, February 15, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. R. Farris, Hillyer Memorial Christian Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Acting in accordance with S. R. 174, a resolution to require a Committee to secure and submit estimates as to the cost of replacing all wooden materials in the State prison with steel and concrete structure, the President appoints Senators Kirkpatrick, Hill and Greene as a Committee provided for in this resolution.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator McDuffee, for the Committee on Counties, Cities and Towns:

S. B. 52, a bill to amend chapter 42, Public Laws, extra session 1924, relating to the time of meeting of the town council of the town of Rutherfordton, with a favorable report.

H. B. 171, a bill relating to the nomination and election of commissioners of Bladen County, with a favorable report.

H. B. 393, a bill to repeal chapter 229, Public-Local Laws, session of 1931, authorizing the board of county commissioners of Columbus County to appoint rural policemen for Columbus County, with a favorable report.

H. B. 138, a bill to amend section 2, chapter 275, Public-Local Laws, 1931, relating to the office of constable of Asheville Township, Buncombe County, with an unfavorable report.

H. B. 97, a bill to regulate the selection of a county commissioner from each township in Hertford County, with a favorable report.

H. B. 392, a bill to authorize the city of Hendersonville to acquire title to land suitable for golf course purposes, and to further authorize the city of Hendersonville to construct and build a golf course or to lease said land for that purpose to others in its discretion, with a favorable report.

H. B. 296, a bill for the improvement of rural cemeteries in Alamance County, with a favorable report.

H. B. 46, a bill to prohibit the sale of cold drinks, ice cream, lemonade, cigars, cigarettes, or any other kind of merchandising, as picture making or fortune telling during the three days session of the Upper Country Line Primitive Baptist Association, within a distance closer than five hundred yards of said meeting, with a favorable report.

H. B. 108, a bill to provide for the election of the chairman of the board of county commissioners and the farm demonstration agent of Macon County by a vote of the people, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 31, a bill relating to the salaries of the county officers of Hertford County, with a favorable report.

H. B. 462, a bill to provide compensation to the members of the board of commissioners of the city of Hendersonville for their services, with a favorable report.

H. B. 535, a bill to regulate salaries of the public officers of Northampton County, with a favorable report.

H. B. 461, a bill to fix the compensation of the members of the board of county commissioners of Macon County, with a favorable report.

H. R. 492, a joint resolution of the General Assembly of North Carolina providing for a report by the head of each and every department of the State of North Carolina, reporting the names and amounts of compensation received by any employees of said departments from the Federal Government, with a favorable report.

H. B. 265, a bill to regulate certain fees of the courts and officers of the county of Harnett, with a favorable report as amended.

S. R. 228, a joint resolution relating to employees and salaries of all persons connected with North Carolina State College, with an unfavorable report.

S. B. 188, a bill to amend chapter 234 of the Public-Local Laws of 1921, fixing the salaries of the assistant clerk and deputy clerk of the Superior Court of Alamance County, with a favorable report.

S. B. 157, a bill to amend chapter 236, Public-Local and Private Laws, North Carolina, session 1931, relating to the compensation of the chairman of the board of county commissioners of Mecklenburg County, with an unfavorable report.

H. B. 376, a bill to amend chapter 90 of the Public-Local Laws of 1931, relating to the fees of the recorder's court of Monroe and Union County, with a favorable report.



S. B. 129, a bill to amend chapter 234 of the Public-Local Laws of North Carolina of 1921, relating to the salary of the clerk of the Superior Court of Alamance County, with an unfavorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Greene: S. B. 230, a bill to repeal chapter 99 of Public-Local Laws of 1921, relating to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey Counties.

Referred to Committee on Judiciary No. 1.

By Senator Greene: S. B. 231, a bill to amend chapter 775, Public-Local Laws of 1913, relating to disorderly conduct and public drunkenness in Mitchell County.

Upon motion of Senator Greene, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Corey: S. B. 232, a bill to appoint M. H. Sumrell a constable for Ayden Township, Pitt County.

Referred to Committee on Counties, Cities and Towns.

By Senator Grady: S. B. 233, a bill to amend chapter 46, Private Laws 1915, relating to the election of a mayor and commissioners of the town of Smithfield, Johnston County.

Referred to Committee on Counties, Cities and Towns.

By Senator MacLean: S. B. 234, a bill to amend Consolidated Statutes with reference to restoration to citizenship.

Referred to Committee on Judiciary No. 2.

#### ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 222, An act to amend section 6442 of the Consolidated Statutes of 1919, and to require casualty and surety insurance companies to make deposits.

H. B. 529, An act to authorize the commissioners of Hertford County to appoint an agent or agents for the collection of taxes in said county.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

FEBRUARY 14, 1933.

*Mr. President:*

Pursuant to your request for the return of H. B. 15, we are returning same.

THAD EURE, *Principal Clerk.*

Senator McNeill moves that the vote by which S. B. 15, a bill to repeal chapter 129, Public Laws, 1921, being "An act regulating the issuance of license to marry and providing for the physical examination of applicants," passed its third reading be reconsidered.

The motion prevails.

Senator Ingram moves that the rules be suspended and the bill be taken up out of order and immediately considered.

Senator Bell makes as a substitute motion, that the bill be made a special order at the expiration of the morning hour next Tuesday, February 21.

Senator Ingram withdraws his motion.

The motion of Senator Bell prevails.

H. B. 51, a bill to amend section 2314 of the Consolidated Statutes, relating to jurors.

Referred to Committee on Judiciary No. 1.

H. B. 107, a bill to consolidate the office of superintendent of public welfare with the office of county superintendent of schools in Cleveland County.

Referred to Committee on Education.

H. B. 181, a bill to repeal chapter 601 of Public-Local Laws, 1925, relative to relief of person or persons summoned to serve as tales juror or jurors either civil or criminal courts of Guilford.

Referred to Committee on Judiciary No. 2.

H. B. 203, a bill relative to the drawing of grand jurors in Wake County.

Referred to Committee on Judiciary No. 1.

H. B. 286, a bill to amend section 3904 of the Consolidated Statutes of 1919, relating to fees in the recorder's court in Scotland County.

Referred to Committee on Judiciary No. 1.

H. B. 311, a bill to amend chapter 86 of the Public Laws of 1925 and relating to the power of administrators, executors and collectors to renew obligations of estates.

Referred to Committee on Judiciary No. 2.

H. B. 320, a bill relating to costs and to trial by jury in criminal actions tried in the county recorder's court of Mecklenburg County.

Referred to Committee on Judiciary No. 2.

H. B. 352, a bill to amend section 2312 of the Consolidated Statutes, exempting Clay County from the requirement of payment of taxes by jurors.

Referred to Committee on Finance.

H. B. 478, a bill to amend chapter 97 of the Public-Local Laws of 1929 in regard to premiums on officials' bonds in Warren County.

Referred to Committee on Judiciary No. 2.

At the hour of 12:00 o'clock Senator McNeill of Cumberland moves that the Senate take a recess in order that all members may have the opportunity of meeting with the House of Representatives to hear Lawrence Tibbett, and at the close of the exercises there to reconvene and continue the work of the day's session.

The motion prevails.

The exercises of the House of Representatives for which the Senate recessed having been concluded, the Senate reassembles and proceeds with the business of the day.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 119, a bill to amend section 1681 of the Consolidated Statutes, relating to the tax on dogs.

The amendment offered by the Committee is adopted.

Passes its second reading and upon objection of Senator Patton to its final passage it remains on the Calendar.

S. B. 151, a bill to establish the office of public cotton weigher for township one of Edgecombe County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 179, a bill to amend chapter 83 of Public Laws of 1927, decreasing the payments to be made by those entering land in Cherokee, Clay, Graham, Macon and Swain Counties.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 211, a bill to incorporate Hubert M. Smith Post No. 77, American Legion, Hendersonville, North Carolina, for the purpose of acquiring title to real estate in Henderson County to be used as a meeting place or club house for said post.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 244, a bill to amend section 2312 of the Consolidated Statutes, exempting Macon County from the requirement of payment of taxes by jurors.

Passes its second and third readings and is ordered enrolled.

H. B. 274, a bill to extend the time for payment of water and sewer assessments due to the board of water commissioners of Hendersonville, N. C.

Passes its second and third readings and is ordered enrolled.

H. B. 288, a bill to require the sheriff and tax collector, the clerk of the Superior Court, the register of deeds and the county accountant of Swain County to give bond in some surety company doing business in the State of North Carolina.

Passes its third reading and is ordered enrolled.

H. B. 291, a bill to amend chapter 37, Public-Local Laws of 1931, relating to tax collector for Brunswick County.

Passes its second and third readings and is ordered enrolled.

H. B. 292, a bill to amend chapter 411, Public-Local Laws of 1923, relating to payment of premiums on bonds of officials of Brunswick County.

Passes its second and third readings and is ordered enrolled.

H. B. 318, a bill giving the board of county commissioners of Gaston County authority to fix the salaries of county officers of Gaston County.

Passes its second and third readings and is ordered enrolled.

H. B. 323, a bill to authorize, empower and direct the sheriff and/or tax collector of Caswell County to accept county vouchers in payment of taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 225, a bill to repeal chapter 112 of Public-Local Laws of 1931, relating to the bond of county treasurer of Currituck County.

Passes its second and third readings and is ordered enrolled.

H. B. 363, a bill amending volume 1, section 1389 of the Consolidated Statutes of North Carolina and acts amendatory thereto relating to the financial agent of the county of Chatham.

Passes its second and third readings and is ordered enrolled.

H. B. 371, a bill to provide further economy in collection of delinquent taxes in Brunswick County.

Passes its second and third readings and is ordered enrolled.

H. B. 373, a bill to authorize, empower and direct the sheriff and/or tax collector of Jones County to accept county vouchers in payment of taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 471, a bill to relieve church property in the town of Enfield, Halifax County from all street paving assessments if approved by a majority of the voters.

Passes its second and third readings and is ordered enrolled.

H. B. 479, a bill to amend chapter 273 of Public Laws of 1929, relating to the punishment of makers of worthless checks in Surry County.

Passes its second and third readings and is ordered enrolled.

S. B. 97, a bill to amend section 3890 of the Consolidated Statutes of North Carolina and reducing the salaries of solicitors of the Superior Court, for concurrence in the House substitute.

Upon motion of Senator Bailey action is deferred and the bill remains on the Calendar.

Senator Cross moves that H. B. 84, a bill to amend section 1 of chapter 336, Public Laws, 1931, providing for the reduction of license fees on automobiles, be taken from the unfavorable Calendar and placed upon the Calendar.

Senator Clement makes a substitute motion that the bill be taken from the unfavorable Calendar and re-referred to the Committee on Finance.

The substitute motion is lost.

Senator Burgin moves that action on the motion of Senator Cross be deferred until tomorrow.

The motion is lost.

Upon the motion made by Senator Cross, Senator Efrid calls for the ayes and noes.

The call is sustained.

The following Senators explain their votes: Senators Aiken, Hill, Kirkpatrick, MacLean and Rankin.

The motion prevails, ayes 34, noes 11, as follows:

Those voting in the affirmative are: Senators Aiken, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Clement, Corey, Cross, Dempsey, Efrid, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Kirkpatrick, Land, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Sparger, Summersill, Walker—34.

Those voting in the negative are: Senators Bailey, Brown, Burgin, Gwyn, Hanes, MacLean, McDuffee, Noell, Patton, Rankin, Waynick—11.

Senator Land moves that S. B. 103, a bill to amend chapter 366, Public Laws, 1931, so as to permit the continued use of 1932 license tags to July 1, 1933, upon payment of semi-annual or quarterly license fees, be taken from the unfavorable Calendar and placed upon the Calendar.

Upon this motion Senator Boggan calls for the ayes and nos.



The call is sustained.

The motion prevails, ayes 22, noes 17, as follows:

Those voting in the affirmative are: Senators Barker, Bell, Blackburn, Blackstock, Boggan, Brown, Corey, Cross, Efrid, Grady, Greene, Gwyn, Hairfield, Hill, Hinsdale, Ingram, Land, MacLean, McBryde, McNeill of Ashe, Summersill, Walker—22.

Those voting in the negative are: Senators Aiken, Beatty, Blue, Burgin, Clement, Dempsey, Fuller, Griffin of Chowan, Hanes, Hartsell, Kirkpatrick, McDuffee, Noell, Patton, Rankin, Sparger, Waynick—17.

Senator Blackstock for the Committee appointed under H. R. 357, a joint resolution appointing a Committee from the House and Senate for the purpose of examining into different departments of the State and cutting salaries of all officers and employees and making report to the General Assembly by February 15, 1933, reports that the Committee has not had sufficient time to make such report and asks for the Committee additional time in which to report.

The request is granted.

Upon motion of Senator Noell, the Senate adjourns to meet tomorrow at 12:00 o'clock m.

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### THIRTY-EIGHTH DAY

SENATE CHAMBER,

THURSDAY, February 16, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Forrest Feezor, Tabernacle Baptist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators E. F. Giles, Wood, John A. Oates and J. C. Brown.

The courtesies of the press table are extended to James B. Allen.

The courtesies of the gallery are extended to the seventh grade of the Crisp and Macclesfield High School and the Senior Class of Franklinton High School and Professor Harris.

Upon motion of Senator Bailey, John Randolph Ingram and Henry Lewis Ingram, sons of Senator Ingram of Randolph, are made Honorary Pages of the Senate, and they are escorted to the President's chair by the Chief Page for the purpose of having this honor formally conferred.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Grady, for the Committee on Judiciary No. 2:

H. B. 305, a bill to validate the acts of notaries public who were holding other offices at the time acknowledgments were taken, with a favorable report.

H. B. 234, a bill to amend chapter 44 of the Public Laws of 1929, relating to the advertisement of judicial foreclosures sales, and to validate sales made thereunder, with a favorable report.

H. B. 238, a bill to amend or repeal a portion of chapter 538, Public-Local Laws of 1911, and chapter 369, Public-Local Laws of 1915, chapter 493, Public-Local Laws of 1917, relating to drainage in Mecklenburg County, with an unfavorable report.

H. B. 476, a bill to amend chapter 86, Public-Local Laws of North Carolina, session of 1931, relating to salaries of officers of Mecklenburg County, and to abolish the office of treasurer of Mecklenburg County, with an unfavorable report.

H. B. 181, a bill to repeal chapter 601 of Public-Local Laws, 1925, relative to relief of person or persons summoned to serve as tales juror or jurors, either civil or criminal courts of Guilford, with a favorable report.

H. B. 259, a bill to amend section 2623 of the Consolidated Statutes, relating to corporate powers of municipal corporations, giving to Cumberland County and cities and towns therein the right and power to grant franchises, with a favorable report.

H. B. 478, a bill to amend chapter 97 of the Public-Local Laws of 1929, in regard to premiums on officials' bonds in Warren County, with an unfavorable report.

S. B. 169, a bill for the relief of H. E. Roberts, with a favorable report.

S. B. 234, a bill to amend Consolidated Statutes with reference to restoration to citizenship, with a favorable report.

S. B. 65, a bill to exempt Wilkes and Yadkin Counties from the provisions of chapter 348, Public-Local Laws, 1931, relating to the territorial jurisdiction of the recorder's court of Elkin, Surry County, with a favorable report as amended.

S. B. 221, a bill to amend chapter 45 of the Public Laws of North Carolina, session 1931, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 208, a bill to amend section 1013 of the Consolidated Statutes of North Carolina, with an unfavorable report.

H. B. 96, a bill to amend section 1259 of the Consolidated Statutes, relating to the payment of fees in criminal cases tried in Hertford County, with a favorable report.

H. B. 439, a bill to amend chapter 281 of the Public Laws of 1931, so as to prevent clerk of the Superior Court from loaning trust funds, with a favorable report.

H. B. 481, a bill to amend the charter of the city of Gastonia, North Carolina, with respect to limitation of time to give notice of claims arising in tort, with a favorable report.

Upon motion of Senator Rankin, the bill is placed upon the Calendar for immediate consideration.



By Senator Gwyn, for the Joint Committee on Public Roads:

S. B. 29, a bill to provide for the licensing of motor vehicle operators and chauffeurs upon the public highways and to make uniform the law relating thereto, the enforcement thereof, and to provide for its operation, and to provide for radio communications between sheriffs, police departments and other law enforcement agencies within this State, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Bagley, for the Committee on Public Health:

S. B. 190, a bill to permit certain persons duly licensed as pharmacists in other States to stand the examination to practice pharmacy, with a favorable report.

Upon motion of Senator Long, the bill is re-referred to the Committee on Public Health.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hinsdale: S. B. 235, a bill to promote the safety of employees and travelers upon railroads by requiring common carriers by railroad to man locomotives, trains and other self propelled engines or machines with competent employees, to provide the least number of men that may be employed on locomotives, trains and other self propelled engines or machines, to provide the qualifications of certain employees and provide a penalty for the violation thereof.

Referred to Committee on Railroads.

By Senator Rankin: S. B. 236, a bill to ratify and validate extension of benefit assessments in town of Cherryville, North Carolina.

Referred to Committee on Finance.

By Senator Rankin: S. B. 237, a bill to authorize the board of school commissioners of Gastonia Graded School District, Gaston County, to issue bonds and to provide for a tax levy for the payment thereof.

Referred to Committee on Finance.

By Senators Ingram, Greene, Hartsell, Rankin, Boggan and Cross: S. B. 238, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381, and to transfer the illuminating oil, gas and lubricating oil inspection, division to the Department of Revenue, and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture, and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors of motor vehicle inspectors.

Referred to Committee on Reorganization of State Government.

#### PETITIONS AND MEMORIALS

A petition of taxpayers at a mass meeting at Kinston relative to Legislation, is presented by Senator Moore and read to the Senate.

The President announces receipt of a joint memorial from the State of Maine urging the Congress of the United States to enact into law H. R. 13999, which is referred to the Committee on Finance.

## ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 193, an act to empower the board of commissioners of Burke County to reduce the salaries of county officers.

H. B. 136, an act to amend section 3484 of the Consolidated Statutes of North Carolina relating to railroad policemen.

H. B. 244, an act to amend section 2312 of the Consolidated Statutes exempting Macon County from the requirement of payment of taxes by jurors.

H. B. 274, an act to extend the time for payment of water and sewer assessments due to the board of water commissioners of Hendersonville, North Carolina.

H. B. 288, an act to require the sheriff, and tax collector, the clerk of the Superior Court, the register of deeds, and the county accountant of Swain County to give bond in some surety company doing business in the state of North Carolina.

H. B. 291, an act to amend chapter 37, Public-Local Laws of 1931, relating to tax collector for Brunswick County.

H. B. 292, an act to amend chapter 411, Public-Local Laws of 1923, relating to payment of premiums on bonds of officials of Brunswick County.

H. B. 318, an act giving the board of county commissioners of Gaston County authority to fix the salaries of county officers of Gaston County.

H. B. 323, an act to authorize, empower, and direct the sheriff and/or tax collector of Caswell County to accept county vouchers in payment of taxes.

H. B. 325, an act to repeal chapter 112 of Public-Local Laws of 1931, relating to the bond of county treasurer of Currituck County.

H. B. 363, an act amending volume 1, section 1389, of the Consolidated Statutes of North Carolina and acts amendatory thereto relating to the financial agent for the county of Chatham.

H. B. 371, an act to provide further economy in collection of delinquent taxes in Brunswick County.

H. B. 373, an act to authorize, empower, and direct the sheriff and/or tax collector of Jones County to accept county vouchers in payment of taxes.

H. B. 471, an act to relieve church property in the town of Enfield, Halifax County, from all street paving assessments, if approved by a majority of the voters.

H. B. 479, an act to amend chapter 273, of Public Laws of 1929, relating to the punishment of makers of worthless checks in Surry County.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:



H. B. 137, a bill to repeal chapter 21, Public-Local Laws, 1929, relating to tales jurors summoned to serve, either in civil or criminal courts of Buncombe County.

Referred to Committee on Judiciary No. 2.

H. B. 304, a bill relative to reorganization of corporations whose charters have been forfeited.

Referred to Committee on Corporations.

H. B. 396, a bill to designate a depository for the public funds of the county of Ashe.

Referred to Committee on Finance.

H. B. 511, a bill to repeal a portion of chapter 15, section "P" of the license schedule of Private Laws of 1923, and to remove a discrimination against certain licenses operating in Elizabeth City and to place them upon the same basis as similar licenses operating in other parts of North Carolina.

Referred to Committee on Counties, Cities and Towns.

H. B. 533, a bill relating to the compensation of the register of deeds of Yancey County.

Referred to Committee on Salaries and Fees.

H. B. 562, a bill to repeal chapter 76, Public-Local Laws of the extra session of 1924, relating to the appointment of special constables of Wilson County.

Referred to Committee on Counties, Cities and Towns.

H. B. 483, a bill relating to the salaries of the officers of Bertie County.

Referred to Committee on Salaries and Fees.

H. B. 486, a bill to repeal chapter 109, Public-Local Laws, 1929, relating to salaries of county officers of Rutherford County, and fixing salaries of clerk of Superior Court, register of deeds and treasurer of said county.

Referred to Committee on Salaries and Fees.

H. B. 496, a bill authorizing the board of commissioners of Martin County to grant a moratorium for two years in foreclosing deeds of trusts and mortgages held in the sinking fund of the county.

Upon motion of Senator MacLean, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 568, a bill to amend chapter 101, of the Private Laws of 1883, relative to the appointment of a commission for management of the cemetery and sale of cemetery lots in the town of Conover, Catawba County.

Referred to Committee on Judiciary No. 1.

S. B. 81, a bill to empower, instruct and authorize the county board of elections of Durham County to conduct all municipal, primary and special elections, for concurrence in the House amendment.

Upon motion of Senator Hill, the rules are suspended and the bill is placed upon its immediate readings.

Upon motion of Senator Hill, the Senate concurs in the House amendment, and the bill is ordered enrolled.

S. B. 171, a bill to provide for a minimum of eight months school term for the city of Charlotte limiting the tax rate for school purposes, prohibiting school commissioners from borrowing money and permitting the governing body of Charlotte to borrow and advance money to the school commissioners for school purposes, and authorizing the mayor to approve the school budget

and contracts of school commissioners for the erection of schools, for concurrence in the House substitute.

Referred to Committee on Judiciary No. 2.

S. B. 175, a bill to create the office of treasurer-tax collector of Mecklenburg County, and collector of revenue for the city of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent tax payers, for concurrence in the House amendment.

Placed upon the Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 481, a bill to amend the charter of the city of Gastonia, North Carolina, with respect to limitation of time to give notice of claims arising in tort. Passes its second and third readings and is ordered enrolled.

S. B. 52, a bill to amend chapter 42, Public Laws, extra session, 1924, relating to the time of meeting of the town council of the town of Rutherfordton.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 188, a bill to amend chapter 234 of the Public-Local Laws of 1921, fixing the salaries of the assistant clerk and deputy clerk of the Superior Court of Alamance County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 31, a bill relating to the salaries of the county officers of Hertford County.

Passes its second and third readings and is ordered enrolled.

H. B. 46, a bill to prohibit the sale of cold drinks, ice cream, lemonade, cigars, cigarettes or any other kind of merchandising as picture making or fortune telling during the three days session of the Upper Country Line Primitive Baptist Association within a distance closer than five hundred yards of said meeting.

Passes its second and third readings and is ordered enrolled.

H. B. 97, a bill to regulate the selection of county commissioners from each township in Hertford County.

Passes its second and third readings and is ordered enrolled.

H. B. 108, a bill to provide for the election of the chairman of the board of county commissioners and the farm demonstration agent of Macon County by a vote of the people.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate substitute.

H. B. 171, a bill relating to the nomination and election of commissioners of Bladen County.

Passes its second and third readings and is ordered enrolled.

H. B. 265, a bill to regulate certain fees of the courts and officers of the county of Harnett.

The amendment offered by the Committee is adopted.

Passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendment.



H. B. 296, a bill for the improvement of rural cemeteries in Alamance County. Passes its second and third readings and is ordered enrolled.

H. B. 306, a bill to amend section 2 of chapter 28 of the Public-Local Laws, regular session of the General Assembly of North Carolina, ratified the 10th day of February, 1931, relative to pay of the clerk of the Superior Court, etc. Passes its second and third readings and is ordered enrolled.

H. B. 348, a bill to prohibit the county of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness. Senator McNeill of Ashe offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 376, a bill to amend chapter 90 of the Public-Local Laws of 1931, relating to the fees of the recorder's court of Monroe and Union County.

Passes its second and third readings and is ordered enrolled.

H. B. 392, a bill to authorize the city of Hendersonville to acquire title to land suitable for golf course purposes, and to further authorize the city of Hendersonville to construct and build a golf course or to lease said land for that purpose to others in its discretion.

Passes its second and third readings and is ordered enrolled.

H. B. 393, a bill to repeal chapter 229, Public-Local Laws, session of 1931, authorizing the board of county commissioners of Columbus County to appoint rural policemen for Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 462, a bill to provide compensation to the members of the board of commissioners of the city of Hendersonville for their services.

Passes its second and third readings and is ordered enrolled.

H. B. 535, a bill to regulate salaries of the public officers of Northampton County.

Passes its second and third readings and is ordered enrolled.

S. B. 97, a bill to amend section 3890 of the Consolidated Statutes of North Carolina and reducing the salaries of solicitors of the Superior Court, for concurrence in the House substitute.

The Senate adopts the House substitute.

Senator Clark offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 119, a bill to amend section 1681 of the Consolidated Statutes, relating to the tax on dogs.

Senator Patton offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives.

S. B. 99, a bill to amend chapter 124 of the Public Laws of North Carolina, session 1927, governing the sale of lands of life tenants for reinvestment and for improving other unimproved real estate.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 131, a bill to validate certain sales of real and personal property made by sheriffs under execution.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 180, a bill to allow the counties, municipalities and other governing agencies to refund tax sale certificates.

The substitute offered by the Committee is adopted.

Upon motion of Senator Clement, the bill is made a special order for Thursday, February 23rd and 400 copies of the substitute bill are ordered printed.

Senator Moore moves that S. B. 21, a bill to regulate transportation by motor vehicle over public highways of the State and compel their contribution toward the maintenance and upkeep of the highways, be taken from the unfavorable Calendar and referred to the Committee on Finance.

The motion prevails.

Senator Hill moves that the substitute for S. B. 96, a bill to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto, and chapter 130 of Consolidated Statutes and to provide for the consolidation of the State Prison Department and the State Highway Commission into a single department to be known as the Highway and Prison Commission, be taken from the Calendar and referred to the Committee on Public Roads.

Senator Moore makes a substitute motion that the bill remain on the Calendar and that the substitute bill be printed.

The substitute motion prevails.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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### THIRTY-NINTH DAY

SENATE CHAMBER,

FRIDAY, February 17, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. L. Shuler, Seventh Day Adventist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Col. James R. Young, Hon. W. C. Newland, former Lieutenant-Governor and Ex-Senators Walter Powell, W. H. Childs, J. H. Folger, J. Lloyd Lawrence and D. Collin Barnes.

Upon motion of Senator Waynick, H. R. 539, a joint resolution endorsing the Honorable Mrs. Lillie Morehead Mebane as Ambassador to the Court of Sweden, is taken from the Committee on Federal Relations and placed upon the Calendar.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:



By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 135, a bill relating to foreclosures of mortgages or deeds of trust in Macon County, with a favorable report as amended.

S. B. 229, a bill to amend section 150 of the Consolidated Statutes of North Carolina to extend the time for the administration and final settlement of estates, with a favorable report.

H. B. 203, a bill relative to the drawing of grand jurors in Wake County, with a favorable report.

By Senator Grady, for the Committee on Judiciary No. 2:

S. B. 196, a bill to transfer the State Highway Patrol from the Highway Commission to the Governor of the State of North Carolina, and require said patrol to perform such duties as prescribed by him and those prescribed by Public Laws of 1929, and chapter 381, Public Laws, 1931, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

Senator Rankin makes a report for the sub-Committee of the Finance Committee.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Barker: S. B. 239, a bill providing for the appointment of a cotton weigher for the town of Clinton, Sampson County.

Referred to Committee on Counties, Cities and Towns.

By Senator Barker: S. B. 240, a bill to prevent the taking and catching of game and wild animals in steel traps in Sampson County.

Referred to Committee on Game Laws.

By Senator Joyner: S. B. 241, a bill to amend section 2578, Consolidated Statutes of North Carolina, with reference to devolution of power of sale in mortgage or deed of trust upon death of mortgagee or trustee.

Referred to Committee on Judiciary No. 1.

By Senator Long: S. B. 242, a bill to amend the charter of the city of Roanoke Rapids in Halifax County, to extend its corporate limits and to provide for its government, and for other purposes.

Referred to Committee on Counties, Cities and Towns.

By Senator McNeill of Ashe: S. B. 243, a bill to place the name of G. W. Griffin on the pension roll for Confederate veterans.

Referred to Committee on Pensions.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives:

S. B. 119, a bill to amend section 1681 of the Consolidated Statutes, relating to the tax on dogs.

#### ENROLLED BILLS

Senator Bailey, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 81, an act to empower, instruct and authorize the county board of elections of Durham County to conduct all municipal, primary and special elections.

H. B. 31, an act relating to the salaries of the county officers of Hertford County.

H. B. 46, an act to prohibit the sale of cold drinks, ice cream, lemonade, cigars, cigarettes, or any other kind of merchandising, as picture making or fortune telling during the three days session of the Upper Country Line Primitive Baptist Association within a distance closer than five hundred yards of said meeting.

H. B. 97, an act to regulate the selection of a county commissioner from each township in Hertford County.

H. B. 171, an act relating to the nomination and election of Commissioners of Bladen County.

H. B. 296, an act to provide for the improvement of rural cemeteries in Alamance County.

H. B. 190, an act to repeal the absentee ballot law for Yancey.

H. B. 306, an act to amend section 2 of chapter 28 of the Public-Local Laws, regular session of the General Assembly of North Carolina, ratified the 10th day of February, 1931, relative to pay of the clerk of the Superior Court, etc.

H. B. 376, an act to amend chapter 90 of the Public-Local Laws of 1931, relating to the fees of the recorder's court of Monroe and Union County.

H. B. 393, an act to repeal chapter 229, Public-Local Laws, session of 1931, authorizing the board of county commissioners of Columbus County to appoint rural policemen for Columbus County.

H. B. 392, an act to authorize the city of Hendersonville to acquire title to land suitable for golf course purposes, and to further authorize the city of Hendersonville to construct and build a golf course or to lease said land for that purpose to others in its discretion.

H. B. 462, an act to provide compensation to the members of the board of commissioners of the city of Hendersonville for their services.

H. B. 496, an act authorizing the board of commissioners of Martin County to grant a moratorium for two years in foreclosing deeds of trust and mortgages held in the sinking fund of the county.

H. B. 535, an act to regulate salaries of the public officers of Northampton County.

H. B. 481, an act to amend the charter of the city of Gastonia, North Carolina, with respect to limitation of time to give notice of claims arising in tort.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 95, a bill to amend section 1334 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenues in Hertford County.

Referred to Committee on Finance.



H. B. 209, a bill to amend chapter 424, Public-Local Laws of 1915, as amended by chapter 72, Public-Local Laws, 1929.

Referred to Committee on Counties, Cities and Towns.

H. B. 233, a bill to amend chapter 53 of the Public Laws of 1931, relating to the fees of the clerk of the court of Mitchell County and the salary of the sheriff and treasurer-tax collector of said county.

Referred to Committee on Salaries and Fees.

H. B. 417, a bill to provide for a revaluation of lands in Mecklenburg County for taxation purposes.

Referred to Committee on Finance.

H. B. 480, a bill relating to official bonds of public officers in Gaston County.

Referred to Committee on Judiciary No. 2.

H. B. 512, a bill to permanently exempt firemen from duty in Pasquotank County after ten years service as a regular fireman.

Referred to Committee on Judiciary No. 1.

H. B. 513, a bill to amend section 2366 of the Consolidated Statutes, relating to breach of contracts of tenants so as to include Pasquotank among the several other counties named in said section.

Referred to Committee on Judiciary No. 2.

H. B. 522, a bill to validate the acts of certain justices of the peace of Transylvania County.

Referred to Committee on Judiciary No. 2.

H. B. 530, a bill to establish a boxing commission for the town of Belmont in Gaston County.

Referred to Committee on Propositions and Grievances.

H. B. 532, a bill to amend chapter 66 of the Private Laws of 1931, relating to the powers of the board of commissioners of the town of East Flat Rock in Henderson County.

Referred to Committee on Counties, Cities and Towns.

H. B. 536, a bill fixing the salaries of the sheriff, clerk of the Superior Court and register of deeds of Granville County.

Referred to Committee on Salaries and Fees.

H. B. 547, a bill to create the office of deputy township constable for Waynesville Township, Haywood County.

Referred to Committee on Counties, Cities and Towns.

H. B. 577, a bill to amend chapter 128 of the Private Laws of 1931, relating to the Tribal Council of the Eastern Band of Cherokee Indians.

Referred to Committee on Counties, Cities and Towns.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 65, a bill to exempt Wilkes and Yadkin Counties from the provisions of chapter 348, Public-Local Laws, 1931, relating to the territorial jurisdiction of the recorder's court of Elkin, Surry County.

The amendment offered by the Committee is adopted.

Passes its second and third readings and ordered engrossed and sent to the House of Representatives.

S. B. 221, a bill to amend chapter 45 of the Public Laws of North Carolina, session 1931.

The amendment offered by the Committee is adopted.

Passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

H. B. 96, a bill to amend section 1259 of the Consolidated Statutes relating to the payment of fees in criminal cases tried in Hertford County.

Passes its second and third readings and is ordered enrolled.

H. B. 181, a bill to repeal chapter 601 of Public-Local Laws, 1925, relative to relief of person or persons summoned to serve as tales juror or jurors, either civil or criminal courts of Guilford County.

Passes its second and third readings and is ordered enrolled.

H. B. 259, a bill to amend section 2623 of the Consolidated Statutes, relating to corporate powers of municipal corporations, giving to Cumberland County and cities and towns therein the right and power to grant franchises.

Passes its second and third readings and is ordered enrolled.

S. B. 138, a bill to prohibit the sale of convict made goods.

The amendment offered by the Committee is adopted.

The bill passes its second reading and upon objection of Senator McNeill of Cumberland to its final passage, it remains upon the Calendar.

S. B. 169, a bill for the relief of H. E. Roberts.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 181, a bill to amend chapter 86, Public Laws of North Carolina, session 1925, the same being "An act to authorize and empower administrators, executors or collectors of a decedent's estate to renew the obligation of decedent without incurring personal liability on the part of the administrators, executors or collectors."

Senator Clement offers an amendment which is adopted.

The bill as amended passes its second and third readings and is ordered engrossed.

S. B. 87, a bill preventing any member of the General Assembly from accepting, during his term of office, a position created by such General Assembly, upon third reading.

Senator Hinsdale offers an amendment which is adopted.

Upon the passage of the bill upon its third reading, Senator Hinsdale calls for the ayes and noes.

The call is sustained.

The following pair is announced: Senator Hartsell, aye, Senator Dunagan, no.

The bill, as amended, fails to pass its third reading, ayes 12, noes 31, as follows:

Those voting in the affirmative are: Senators Bland, Boggan, Burgin, Clark, Corey, Cross, Grady, Griffin of Franklin, Hairfield, Hill, Hinsdale, Waynick—12.

Those voting in the negative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Blue, Brown, Clement, Dempsey, Eford, Francis, Fuller, Griffin of Chowan, Gwyn, Hanes, Ingram, Joyner, Kirkpatrick, Land, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker—31.



S. B. 191, a bill to enable poor persons convicted of capital felonies to appeal to the Supreme Court from sentence of death.

Senator Clement offers an amendment which is adopted.

The bill, as amended, passes its second and third readings, and is ordered engrossed.

S. B. 192, a bill to permit debtors seeking equitable relief to avail themselves of the Statutes pertaining to usury.

Senator Burgin offers an amendment which fails of adoption.

The bill passes its second reading, and upon objection of Senator Gwyn to its final passage the bill remains upon the Calendar.

H. R. 539, a joint resolution endorsing the Honorable Mrs. Lillie Morehead Mebane as Ambassador to the Court of Sweden.

Senator Waynick offers an amendment which is adopted.

Senator MacLean moves that the vote on the resolution upon its third reading be taken by a rising vote.

The motion prevails.

Passes its second reading.

Passes its third reading by a unanimous rising vote of the Senate and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 222, a bill to amend chapter 93 of the 1921 Public Laws, relating to the payment to the clerk of the Superior Court of sums of money, not exceeding \$300.00 due and owing to persons dying intestate.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 234, a bill to amend Consolidated Statutes with reference to restoration to citizenship.

Senator MacLean offers an amendment which is adopted.

The bill, as amended, passes its second reading and upon objection of Senator Ingram to its final passage, the bill remains upon the Calendar.

S. B. 29, a bill to provide for the licensing of motor vehicles, operators and chauffeurs upon the public highways and to make uniform the law relating thereto, the enforcement thereof, and to provide for its operation, and to provide for radio communications between sheriffs, police departments and other law enforcement agencies within this State.

The substitute offered by the Committee is adopted.

Senator Noell moves that the bill do lie upon the table.

The motion is lost.

Senator Hill moves that the bill remain upon the Calendar and that the substitute bill be printed.

The motion prevails.

H. B. 84, a bill to amend section 1 of chapter 336, Public Laws, 1931, providing for the reduction of license fees on automobiles.

Upon motion of Senator Cross, action on the bill is deferred until Wednesday, February 22.

H. R. 116, a joint resolution requesting Congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the States, and that the Congress balance its budget without further increase in the tax levies.

Passes its second and third readings and is ordered enrolled.

H. B. 157, a bill to amend chapter 336, Public Laws, 1931, so as to change the rates for semi-trailers towed by passenger cars, upon second reading.

The bill passes second reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Brown, Burgin, Clark, Clement, Cross, Dempsey, Efird, Francis, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick—41.

Upon motion of Senator Bell, S. B. 52, a bill to amend chapter 42, Public Laws, extra session, 1924, relating to the time of meeting of the town council of the town of Rutherfordton, is recalled from the House of Representatives.

Upon motion of Senator McNeill of Ashe, H. B. 344, a bill to fix the number and term of officers of the board of education for the County of Ashe and to define their duties, is taken from the Committee on Judiciary No. 2, and referred to the Committee on Education.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 10:00 o'clock, at which time only public local bills are to be considered.

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## FORTIETH DAY

SENATE CHAMBER,

SATURDAY, February 18, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor A. H. Graham.

Prayer is offered by Rev. C. J. Hollandsworth, First Vanguard Presbyterian Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance.

H. B. 186, a bill for the relief of ex-Sheriff C. E. Moxley of Yadkin County, with a favorable report.

H. B. 183, a bill to adjust certain assessments for street improvements in the town of Scotland Neck, with a favorable report.

H. B. 184, a bill relating to the payment of assessments for street improvements in the town of Scotland Neck, with a favorable report as amended.

H. B. 185, a bill relating to the payment of obligations to the town of Scotland Neck, with an unfavorable report.

By Senator Moore, for the Committee on Reorganization of State Government:

S. B. 124, a bill to transfer the illuminating oil, gasoline and lubricating oil inspection division to the Department of Revenue and to place upon the



Commissioner of Revenue all the duties and functions now performed by the Board of Agriculture and to utilize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors for this department, with an unfavorable report.

S. B. 125, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said Patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381, with an unfavorable report.

S. B. 238, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said Patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381, with an unfavorable report.

By Senator Hinsdale, for the Committee of Judiciary No. 1:

S. B. 93, a bill to abolish the Corporation Commission and to create the office of Utilities Commissioner and to prescribe and define the functions, powers and duties of such Utilities Commissioner, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives:

S. B. 181, a bill to amend chapter 86, Public Laws of North Carolina, session 1925, the same being "An act to authorize and empower administrators, executors or collectors of a decedent's estate to renew the obligation of a decedent without incurring personal liability on the part of the administrators, executor or collector."

S. B. 65, a bill to exempt Wilkes and Yadkin counties from the provisions of chapter 348, Public-Local Laws, 1931, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County.

S. B. 221, a bill to amend chapter 45 of the Public Laws of North Carolina, session 1931.

S. B. 191, a bill to enable poor persons convicted of capital felonies to appeal to the Supreme Court from sentence of death.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Aiken: S. B. 244, a bill to authorize the Governor to appoint a Commissioner of Pardons and Paroles.

Referred to Committee on Penal Institutions.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

HOUSE OF REPRESENTATIVES,

FRIDAY, February 17, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House has failed to concur in Senate Amendment to Senate Bill No. 97, title "to amend section 3890 of the Consolidated Statutes of North Carolina and reducing the salaries of the Solicitors of the Superior Court," and giving notice of the appointment of Conferees thereof, that the Speaker has appointed as Conferees on the part of House to the end that the differences existing between the two bodies may be adjusted, Representatives Brawley, McEachern and Taylor of Halifax.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

The President appoints as Conferees on the part of the Senate, Senators Hartsell and Moore.

February 18, 1933.

*Mr. President:*

Pursuant to your request for the return of S. B. 52, a bill to be entitled "an act to amend chapter 42, Public Laws, extra session, 1924, relating to the time of meeting of the town council of the town of Rutherfordton," we are returning same to you for your further consideration.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

H. B. 231, a bill to amend section 2494, volume 3, of the Consolidated Statutes, requiring all couples of North Carolina who marry in another state to file a copy of their marriage certificate in the office of the register of deeds of the home county of the bridegroom.

Referred to Committee on Judiciary No. 1.

H. B. 441, a bill to amend the charter of the city of Durham so as to extend the corporate limits of said city.

Referred to Committee on Counties, Cities and Towns.

H. B. 507, a bill to authorize, empower and direct the sheriff and/or tax collector of Bladen County to accept county vouchers in payment of taxes.

Referred to Committee on Finance.

H. B. 407, a bill to amend section 1608 (u) of the Consolidated Statutes, relating to jury trials in the General County Court.

Referred to Committee on Judiciary No. 1.

H. B. 408, a bill to amend section 1608 (cc) of the Consolidated Statutes, regulating appeals from the General County Court to the Superior Court.

Referred to Committee on Judiciary No. 1.

H. B. 409, a bill to amend section 24 (d) of section 2 of chapter 85, Public Laws of 1924, same being "An act to relieve congestion in court docket and provide for the speedy trial of cases."

Referred to Committee on Judiciary No. 2.



H. B. 410, a bill to amend chapter 242, Public Laws, 1925, relating to removal of causes from the General County Court.

Referred to Committee on Judiciary No. 2.

H. B. 499, a bill to amend and rewrite section 6108 of the Consolidated Statutes, relating to the enrollment of acts of the General Assembly and the employment of necessary assistance for that purpose.

Referred to Committee on Salaries and Fees.

H. B. 500, a bill to amend section 160 of Consolidated Statutes, relating to payment of burial expenses from assets derived from wrongful act.

Referred to Committee on Judiciary No. 1.

H. B. 548, a bill to authorize Hyde County to use certain funds to pay judgments.

Referred to Committee on Finance.

H. B. 549, a bill authorizing the county of Franklin to accept vouchers issued by said county in payment of taxes and other obligations due the county.

Referred to Committee on Finance.

H. B. 560, a bill to amend chapter 276 of the Public-Local Laws of 1913 and all subsequent amendments thereto, relating to the Recorder's Court of Lexington.

Referred to Committee on Judiciary No. 2.

H. B. 545, a bill to prevent the challenging of jurors who have not paid the taxes assessed against them during the preceding two years.

Referred to Committee on Judiciary No. 2.

H. B. 553, a bill to amend section 205 of the Consolidated Statutes, relating to disbarment of attorneys at law.

Referred to Committee on Judiciary No. 1.

S. B. 17, a bill relating to divorces for concurrence in the House amendment. Placed upon the Calendar.

H. B. 600, a bill to repeal sections 7, 8, 9 and 10 of chapter 415, Public-Local Laws, 1927, relating to salaries of the officers of Martin County.

Referred to Committee on Salaries and Fees.

H. B. 604, a bill to authorize the commissioners of the town of Winton to appoint an agent or agents for the collection of taxes in said county.

Referred to Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 186, a bill for the relief of ex-Sheriff C. E. Moxley of Yadkin County. Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet Monday evening at 8:00 o'clock.

**FORTY-FIRST DAY**

SENATE CHAMBER,

MONDAY, February 20, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Geo. H. Atkinson of Columbia, South Carolina.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senators W. F. Ward, C. W. Higgins and Lee Gravely.

Senator Kirkpatrick for the Committee appointed to investigate the cost of replacing all the wooden structure in the State Prison with steel and make the prison fireproof, requests for the Committee additional time in which to make a report.

The request is granted.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Dunagan: S. B. 245, a bill relating to the general fund of Rutherford County.

Referred to Committee on Finance.

By Senator Dunagan: S. B. 246, a bill increasing the number of commissioners of Rutherford County, fixing their compensation, and creating five districts for the nomination of said commissioners.

Referred to Committee on Counties, Cities and Towns.

By Senator Dempsey: S. B. 247, a bill to place Mrs. Joanna Kirby of Wilson County on the State pension roll.

Referred to Committee on Pensions.

By Senator Kirkpatrick: S. B. 248, a bill relating to and declaring unlawful employment and paying for services for electioneering in primary elections.

Referred to Committee on Election Laws.

By Senator Kirkpatrick: S. B. 249, a bill regulating and controlling the use of rental batteries.

Referred to Committee on Propositions and Grievances.

By Senators Clement and Long: S. R. 250, a joint resolution designating the State Laboratory of Hygiene Building as "The Clarence A. Shore State Laboratory of Hygiene Building."

Placed upon the Calendar.

**ENROLLED BILLS**

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:



S. B. 27, an act to amend the charter of the town of Oxford, chapter 302, Private Laws of 1913, as amended.

S. B. 100, an act to prohibit the employment on any public work of any architect, engineer, designer, or draftsman interested in the manufacture or sale of any material to be used in such work.

S. B. 158, an act providing for the inspection of meats and meat markets in the village of Haw River in Alamance County.

S. B. 160, an act to amend chapter 532, Public-Local Laws of 1917, being "An act to prevent the sale of certain commodities at the annual meeting of the Lower Country Line Primitive Baptist Association, and to otherwise protect said association."

S. B. 188, an act to amend chapter 234 of the Public-Local Laws of 1921, fixing the salaries of the assistant clerk and deputy clerk of the Superior Court of Alamance County.

S. B. 205, an act to amend chapter 714 of the Public Laws of North Carolina, session 1909, relating to the Alamance Battle Ground Company.

H. B. 96, an act to amend section 1259 of the Consolidated Statutes, relating to the payment of fees in criminal cases tried in Hertford County.

H. R. 116, a joint resolution requesting Congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the States, and that the Congress balance its budget without further increase in the tax levies.

H. B. 181, an act to repeal chapter 601 of Public-Local Laws, 1925, relative to relief of person or persons summoned to serve as tales juror or jurors, either civil or criminal courts of Guilford County.

H. B. 259, an act to amend section 2623 of the Consolidated Statutes, relating to corporate powers of municipal corporations, giving to Cumberland County and cities and towns therein the right and power to grant franchises.

H. B. 186, an act for the relief of ex-Sheriff C. E. Moxley of Yadkin County.

S. B. 67, an act to repeal chapter 243 of the Public-Local Laws of 1925, relating to the sale and use of fire works and toy pistols in Mitchell, Madison, Yancey, Avery and Macon Counties.

S. B. 109, an act to amend section 6054 of the Consolidated Statutes, placing Randolph County under the operation of the State-wide Primary Law.

S. B. 201, an act to regulate public drunkenness in Haywood County by amending chapter 477, Public-Local Laws of 1931.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 160, a bill to repeal chapter 38 of the Public-Local Laws of 1929, relating to the capture of stills in Yancey County.

Referred to Committee on Propositions and Grievances.

H. B. 251, a bill to regulate the hours of labor in industry in Richmond County.

Referred to Committee on Judiciary No. 2.

H. B. 270, a bill to amend chapter 307, Private Laws of 1905, amending the charter of the Lenoir-Rhyne College.

Referred to Committee on Judiciary No. 1.

H. B. 275, a bill to repeal chapter 15 of the Public-Local and Private Laws of 1923, being "An act to prohibit the sale or use of fireworks in Currituck and Cherokee Counties in so far as the same applies to Cherokee County."

Referred to Committee on Propositions and Grievances.

H. B. 379, a bill relative to the holding of elections in the county of Ashe.

Referred to Committee on Election Laws.

H. B. 554, a bill to empower the city council of the city of Asheville and for the city of Asheville to relieve all churches or religious bodies and all charitable associations of special assessments for sidewalk paving and assessments for opening and widening streets wherein such churches or religious bodies or charitable associations were included in the zone of benefits and damages.

Referred to Committee on Finance.

H. B. 578, a bill to permit the board of commissioners of Jackson County to hypothecate certificates of tax sales held by that county and to delay foreclosure proceedings thereupon.

Referred to Committee on Finance.

H. B. 579, a bill authorizing the board of county commissioners of Jackson County to assume certain indebtedness of Dillsboro Township.

Referred to Committee on Finance.

H. B. 587, a bill relating to special assessments levied by the town of Lincolnton.

Referred to Committee on Finance.

H. B. 589, a bill to amend chapter 147 of the Private Laws of 1907, being "An act to amend and revise the charter of the town of Waco in Cleveland County."

Referred to Committee on Judiciary No. 1.

H. B. 595, a bill to place the collection of dog taxes in Pasquotank County under the direct and immediate supervision of the sheriff.

Referred to Committee on Finance.

H. B. 613, a bill to fix and determine the salary or compensation of the sheriff of Alleghany County and other officers thereof.

Referred to Committee on Salaries and Fees.

H. B. 614, a bill to provide for the election of aldermen of the city of Kinston.

Referred to Committee on Counties, Cities and Towns.

H. B. 615, a bill to limit the pay of jurors in Pasquotank County.

Referred to Committee on Salaries and Fees.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 135, a bill relating to foreclosures of mortgages or deeds of trust in Macon County.

The amendment offered by the Committee is adopted.

Senator Francis offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.



H. B. 183, a bill to adjust certain assessments for street improvements in the town of Scotland Neck.

Passes its second and third readings and is ordered enrolled.

H. B. 184, a bill relating to the payment of assessments for street improvements in the town of Scotland Neck.

The amendment offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 203, a bill relative to the drawing of grand jurors in Wake County.

Passes its second and third readings and is ordered enrolled.

H. B. 157, a bill to amend chapter 336, Public Laws, 1931, so as to change the rates for semi-trailers towed by passenger cars, upon third reading.

The bill passes third reading, ayes 49, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efid, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—49.

The bill is ordered enrolled.

H. B. 443, a bill to authorize the commissioners of Greene County to appoint a tax collector and fix his compensation.

Passes its second and third readings and is ordered enrolled:

S. B. 17, a bill relating to divorce, for concurrence in the House amendment.

Upon motion of Senator Bailey, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 192, a bill to permit debtors seeking equitable relief to avail themselves of the Statutes pertaining to usury, upon third reading.

Passes its third reading and is ordered sent to the House of Representatives.

S. B. 234, a bill to amend Consolidated Statutes with reference to restoration to citizenship, upon third reading.

Passes its third reading and is ordered engrossed.

S. B. 29, a bill to provide for the licensing of motor vehicle operators and chauffeurs upon the public highways and to make uniform the law relating thereto, the enforcement thereof and to provide for its operation, and to provide for radio communications between sheriffs, police departments and other law enforcement agencies within this State.

Senator Ingram moves that the bill be referred to the Committee on Finance.

The motion is lost.

Senator Corey moves that the bill remain on the Calendar to be considered tomorrow.

The motion prevails.

S. B. 93, a bill to abolish the Corporation Commission and to create the office of Utilities Commissioner and to prescribe and define the functions, powers and duties of such Utilities Commissioner.

Senator Dunagan moves that action on the bill be deferred and that it be made a special order at the close of the morning hour, Friday, February 24.

Senator Land makes as a substitute motion that the bill be made a special order at the expiration of the morning hour Wednesday, February 22.

The substitute motion prevails.

Senator Kirkpatrick offers a substitute for the bill and requests that it be read.

There being no objection the request is granted.

S. B. 96, a bill to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission.

Pending discussion of the bill, Senator Moore moves that action be deferred until tomorrow.

The motion prevails.

Senator Dunagan moves that the vote by which S. B. 52, a bill to amend chapter 42, Public Laws, extra session 1924, relating to the time of meeting of the town council of the town of Rutherfordton, passed its third reading, be reconsidered.

The motion prevails.

Upon motion of Senator Dunagan, the bill is laid upon the Table.

Upon motion of Senator Patton, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## FORTY-SECOND DAY

### SENATE CHAMBER.

Tuesday, February 21, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. F. S. Love, Presiding Elder M. E. Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Hill, H. B. 441, a bill to amend the charter of the city of Durham so as to extend the corporate limits of said city, is taken from the Committee on Counties, Cities and Towns and placed upon the Calendar.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

S. B. 245, a bill relating to the general fund of Rutherford County, with a favorable report.



H. B. 548, a bill to authorize Hyde County to use certain funds to pay judgments, with a favorable report.

#### PETITIONS AND MEMORIALS

A petition of citizens relative to the Department of Conservation and Development is presented by Senator MacLean and referred to the Committee on Reorganization of State Government.

A petition of citizens relative to the adoption of a sales tax is presented by Senator Noell and referred to the Committee on Finance.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives:

S. B. 135, a bill relating to foreclosures of mortgages or deeds of trust in Macon County.

S. B. 234, a bill to amend Consolidated Statutes with reference to restoration of citizenship.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

Senator Kirkpatrick offers the following S. R. 251:

#### IN MEMORIAM OF CAPTAIN WALTER CLARK

Whereas, God, in His wisdom, on last Sabbath morning, February 19, 1933, summoned into His presence one of the best known and most useful citizens in the State of North Carolina, in the person of Captain Walter Clark, a former honored member of this Body; and

Whereas, it is fitting and proper that the members of this Senate take official cognizance of his departure, in that the deceased was not only a former honored member of the State Senate, rendering efficient and patriotic service during the session of 1929, but a descendant of a long line of useful and patriotic men and women on both his father's and mother's side, being a son of the late Chief Justice of the Supreme Court of North Carolina and a distinguished Confederate soldier, Walter Clark, and a grandson of a former Governor of North Carolina, a Speaker of the House of Representatives of the State, a former United States Senator and former Secretary of the Navy, William A. Graham, now, therefore,

*Be it resolved:*

First: That this Body do, here and now, by a unanimous rising vote stand for a moment in silence, out of respect for the memory of this distinguished North Carolinian, statesman, patriot and soldier, and out of respect, love and sympathy for his wife and children.

Second: That a copy of these resolutions be ordered printed in the Senate Journal, and a copy be sent to the surviving wife and children as an evidence of the respect and esteem in which their departed loved one was held by the members of this Senate and the citizenship of North Carolina.

Upon motion of Senator Kirkpatrick, the rules are suspended and the resolution is unanimously adopted by a rising vote.

By Senator Greene: S. B. 252, a bill to close a road and certain streets on the campus of Harris High School at Spruce Pine, North Carolina.

Upon motion of Senator Greene, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Barker: S. B. 253, a bill requiring vaccination of dogs against rabies.

Referred to Committee on Public Health.

By Senator Ingram: S. B. 254, a bill to amend the North Carolina Game Law.

Referred to Committee on Game Laws.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 85, a bill to amend chapter 119, Public Laws 1929, and chapter 32, Public Laws 1931, relating to State Barbers License Law, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 117, a bill amending chapter 372 of the Public Laws of 1931, relating to the method of abolishing special taxes in special tax districts and providing that the same shall apply to Rowan County, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 127, a bill to validate certain sales of land for taxes and certificates issued in pursuance thereof, for concurrence in the House amendment.

Placed upon the Calendar.

H. B. 38, a bill to repeal chapter 150 of the Private Laws of North Carolina, session of 1925, relating to the Charlotte Park and Recreation Commission.

Referred to Committee on Judiciary No. 2.

H. B. 218, a bill to repeal chapter 114, Public-Local Laws of 1925, relative to the enforcement of the prohibition law in certain counties.

Referred to Committee on Judiciary No. 1.

H. B. 300, a bill to amend section 765 of the Consolidated Statutes of North Carolina of 1919, allowing the clerk of the Superior Court to force commissioners appointed by said clerk of the Superior Court in all actions or special proceedings to file a final account of receipts and disbursements on account of the sale of the real or personal property sold by said commissioner or commissioners.

Referred to Committee on Judiciary No. 1.

H. B. 389, a bill to amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes.

Referred to Committee on Finance.



H. B. 583, a bill to amend section 21 of chapter 148 of the Public Laws of 1927, requiring drivers of motor vehicles to stop before entering main highways.  
Referred to Committee on Public Roads.

H. B. 591, a bill to validate the official acts of Mrs. Rose McNeill Jones, a notary public, and Mrs. Irene Dimente Barker, a notary public, both of Wilkes County.

Referred to Committee on Judiciary No. 2.

H. B. 618, a bill to authorize the board of commissioners of Buncombe County to refund certain license taxes erroneously collected.

Referred to Committee on Finance.

H. B. 630, a bill to regulate the fees of the various justices of the peace of Mecklenburg County.

Referred to Committee on Salaries and Fees.

H. B. 631, a bill to better protect the revenues and public funds of Cherokee County.

Referred to Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 548, a bill to authorize Hyde County to use certain funds to pay judgments.

Passes its second and third readings and is ordered enrolled.

H. B. 15, a bill to repeal chapter 129, Public Laws of 1921, being "An act regulating the issuance of licenses to marry, and providing for physical examination of applicants," upon third reading.

Senator Hinsdale offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered engrossed, for the purpose of returning the same to the House of Representatives for concurrence in the Senate substitute.

S. R. 250, a joint resolution designating the State Laboratory of Hygiene Building as "The Clarence A. Shore State Laboratory of Hygiene Building."

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 29, a bill to provide for the licensing of motor vehicle operators and chauffeurs upon the public highways and to make uniform the law relating thereto, the enforcement thereof and to provide for its operation, and to provide for radio communications between sheriffs, police departments and other law enforcement agencies within this State.

Senator Land offers an amendment which is adopted.

Senator Bailey offers an amendment which is adopted.

The bill, as amended, fails to pass second reading, ayes 21, noes 28, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Bell, Blackburn, Burgin, Corey, Dempsey, Dunagan, Francis, Fuller, Greene, Gwyn, Hartsell, Hill, Hinsdale, Kirkpatrick, Land, MacLean, McNeill of Cumberland, Sparger, Summersill—21.

Those voting in the negative are: Senators Bagley, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Clark, Clement, Cross, Efird, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Ingram, Joyner, Long, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Rankin, Walker, Waynick—28.

H. B. 441, a bill to amend the charter of the city of Durham so as to extend the corporate limits of said city, upon second reading.

The bill passes second reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Beatty, Bell, Blackburn, Blackstock, Blue, Boggan, Brown, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—41.

S. B. 96, a bill to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission.

Pending discussion, action on the bill is deferred and it remains upon the Calendar.

Senator Blackstock, for the Committee appointed under H. R. 357, a joint resolution appointing a committee from the House and Senate for the purpose of examining into the different departments of the State and cutting salaries of all officers and employees and making report to the General Assembly by February 15, 1933, submits a report in three parts.

Upon motion of Senator Blackstock, Part 1 of the report is accepted and referred to the Committee on Appropriations.

Upon motion of Senator Blackstock, Part 2 of the report is accepted and referred to the Committee on Appropriations.

Upon motion of Senator Blackstock, Part 3 of the report is accepted and referred to the Committee on Judiciary No. 1.

Upon motion of Senator Gwyn, the Senate adjourns to meet tomorrow at 12:00 o'clock m.

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### FORTY-THIRD DAY

SENATE CHAMBER,

WEDNESDAY, February 22, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Theodore Partrick of the Church of the Good Shepherd of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senator N. L. Stedman.



## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Grady, for the Committee on Judiciary No. 2:

S. B. 210, a bill to confer civil jurisdiction upon the county recorder's court of Watauga County, with a favorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

S. B. 232, a bill to appoint M. H. Sumrell a constable for Ayden Township, Pitt County, with an unfavorable report.

S. B. 246, a bill increasing the number of commissioners of Rutherford County, fixing their compensation, and creating five districts for the nomination of said commissioners, with a favorable report as amended.

H. B. 614, a bill to provide for the election of aldermen of the city of Kinston, with a favorable report.

By Senator Walker for the Committee on Election Laws:

S. B. 227, a bill to repeal the absentee ballot law for Mitchell County, with a favorable report.

## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives:

H. B. 15, a bill to repeal chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry, and providing for the physical examination of applicants."

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hairfield: S. R. 255, a joint resolution to pay the expenses of the committee from the Senate and the House of Representatives visiting the State Hospitals at Goldsboro and Morganton.

Referred to Committee on Appropriations.

By Senator MacLean: S. B. 256, a bill to amend chapter 2 of the Consolidated Statutes of 1919, relating to the adoption of minors.

Referred to Committee on Judiciary No. 2.

By Senator Dempsey: S. B. 257, a bill to amend the charter of the town of Wilson.

Referred to Committee on Judiciary No. 1.

By Senator Sparger: S. B. 258, a bill to amend chapter 6 of the Consolidated Statutes of North Carolina on bastardy.

Referred to Committee on Judiciary No. 2.

By Senator Joyner: S. B. 259, a bill to amend section 27 of chapter 51 of the Public Laws of 1927, relative to fox hunting in Northampton County.

Upon motion of Senator Joyner, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator McDuffee: S. B. 260, a bill to repeal chapter 176 of the Public-Local Laws of 1927, relative to sale of fireworks or other explosives in Vance County.

Upon motion of Senator McDuffee, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator McDuffee: S. B. 261, a bill to amend chapter 158 of the Public-Local Laws of 1911 and chapter 353 of the Public-Local Laws of 1931, relative to the recorder's court in Vance County.

Upon motion of Senator McDuffee, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### PETITIONS AND MEMORIALS

A petition of citizens of Beaufort County, relative to fish and game laws in Beaufort County, is presented by Senator MacLean and referred to the Committee on Game Laws.

A petition of citizens of Ashe County, relative to taxes paid by truck owners, is presented by Senator McNeill of Ashe and referred to the Committee on Finance.

The President announces receipt of a petition of the Taxpayers League of Mitchell County which is referred to the Committee on Finance.

The President announces receipt of a letter from H. Johnson, Whitnel, N. C., relative to legislation which is referred to the Committee on Finance.

#### ENROLLED BILLS

Senator Eflrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 17, an act relating to divorces.

S. B. 64, an act to amend section 1 of chapter 317 of the Public-Local Laws of 1931, being an act to make it unlawful to operate a filling station in Wilkes County and Stokes County on Sunday, between the hours of ten a.m. and twelve p.m.

S. B. 179, an act to amend chapter 83 of Public Laws of 1927, decreasing the payments to be made by those entering land in Cherokee, Clay, Graham, Macon and Swain Counties.

H. B. 108, an act to provide for the election of the chairman of the board of county commissioners and the farm demonstration agent of Macon County by a vote of the people.

H. B. 157, an act to amend chapter 336, Public Laws, 1931, so as to change the rates for semi-trailers towed by passenger cars.

H. B. 183, an act to adjust certain assessments for street improvements in the town of Scotland Neck.



H. B. 184, an act relating to the payment of assessments for street improvements in the town of Scotland Neck.

H. B. 203, an act relative to the drawing of grand jurors in Wake County.

H. B. 265, an act to regulate certain fees of the courts and officers of the county of Harnett.

H. B. 443, an act to authorize the commissioners of Greene County to appoint a tax collector and fix his compensation.

H. R. 539, a joint resolution endorsing the Honorable Mrs. Lillie Morehead Mebane, as minister to the court of Sweden.

H. B. 548, an act to authorize Hyde County to use certain funds to pay judgments.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 431, a bill to amend section 2688 of the Consolidated Statutes, relating to the sale of municipal property.

Referred to Committee on Finance.

H. B. 519, a bill to authorize the Secretary of State to offer for sale the Consolidated Statutes of North Carolina at a reduced price.

Referred to Committee on Judiciary No. 1.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 441, a bill to amend the charter of the city of Durham so as to extend the corporate limits of said city, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Cross, Dempsey, Dunagan, Efird, Francis, Grady, Greene, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick—39.

The bill is ordered enrolled.

S. B. 117, a bill amending chapter 372 of the Public Laws of 1931, relating to the method of abolishing special taxes in special tax district and providing that the same shall apply to Rowan County, for concurrence in the House amendment.

Upon motion of Senator Clement, the Senate fails to concur in the House amendment and asks for a conference thereon.

S. B. 245, a bill relating to the general fund of Rutherford County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 246, a bill increasing the number of commissioners of Rutherford County, fixing their compensation and creating five districts for the nomination of said commissioners.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

Senator Grady moves that the special orders of today be temporarily displaced in order that S. B. 96, a bill to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto, and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission, may be immediately considered.

The motion prevails.

S. B. 96, a bill to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto, and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission, upon second reading.

The substitute offered by the Committee is adopted.

Senator Clement offers an amendment.

Senator Waynick offers an amendment.

Senator Francis offers an amendment which fails of adoption.

The amendment offered by Senator Clement is adopted.

Upon the passage of the bill on its second reading, Senator Gwyn calls for the ayes and noes.

The call is sustained.

The following pair is announced: Senator Walker, "no," Senator Griffin of Franklin, "aye."

The bill passes second reading, ayes 36, noes 8, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Blackburn, Blackstock, Bland, Boggan, Burgin, Clark, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Hairfield, Hanes, Hartsell, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Waynick—36.

Those voting in the negative are: Senators Blue, Clement, Greene, Gwyn, Hill, Hinsdale, Kirkpatrick, Patton—8.

The bill passes its third reading and is ordered engrossed.

S. B. 138, a bill to prohibit the sale of convict made goods, upon third reading.

The bill passes its third reading and is ordered engrossed.

S. B. 85, a bill to amend chapter 119, Public Laws, 1929, and chapter 32, Public Laws, 1931, relating to State Barbers' license, for concurrence in the House amendment.

Upon motion of Senator Aiken, the Senate fails to concur in the House amendment and asks for a conference thereon.

Upon motion of Senator Bailey, S. B. 93, a bill to abolish the Corporation Commission and to create the office of Utilities Commissioner and to prescribe and define the functions, powers, and duties of such Utilities Commissioner, is made a special order for tomorrow.

Upon motion of Senator Cross, H. B. 84, a bill to amend section 1 of chapter 336, Public Laws, 1931, providing for the reduction of license fees on



automobiles, is displaced and made a special order for Monday, February 27, 1933.

Upon motion of Senator McNeill of Ashe, H. B. 348, a bill to prohibit the county of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness, is recalled from the House of Representatives.

Upon motion of Senator Sparger, the Senate adjourns in honor of the birthdays of George Washington, the first President of the United States and the Principal Clerk of the Senate, LeRoy Martin, to meet tomorrow at 12:00 o'clock m.

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### FORTY-FOURTH DAY

SENATE CHAMBER,

THURSDAY, February 23, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. A. S. Parker, Central Methodist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senators W. E. Breese, W. B. Horton and the Seventh Grade of Pinetops School, Edgecombe County.

Senator Waynick moves that H. B. 337, a bill amending chapter 651, Public Laws of 1909, as amended, relating to the municipal court of the city of Greensboro, be taken from the Committee on Courts and Judicial Districts and placed upon the Calendar for immediate consideration.

The motion prevails.

Senator Patton moves that H. B. 499, a bill to amend and rewrite section 6108 of the Consolidated Statutes, relating to the enrollment of acts of the General Assembly and the employment of necessary assistance for that purpose, be taken from the Committee on Salaries and Fees and referred to the Committee on Railroads.

The motion prevails.

The President announces as conferees on the part of the Senate to consider the differences arising on S. B. 85, a bill to amend chapter 119, Public Laws, 1929, and chapter 32, Public Laws, 1931, relating to State Barbers' License Law, Senators Aiken and Bland.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Grady, for the Committee on Judiciary No. 2.

H. B. 38, a bill to amend chapter 150 of the Private Laws of North Carolina, session of 1925, relating to the Charlotte Park and Recreation Commission, with a favorable report.

H. B. 249, a bill to grant a new charter for the town of Pinebluff, Moore County, North Carolina, with a favorable report.

H. B. 480, a bill relating to official bonds of public officers in Gaston County, with a favorable report.

H. B. 513, a bill to amend section 2366 of the Consolidated Statutes, relating to breach of contract of tenant, so as to include Pasquotank among the several other counties named in said section, with a favorable report.

S. B. 132, a bill to repeal any and all acts providing for, or permitting attorney's fees in tax foreclosure suits and to require county accountants to handle and conduct such tax foreclosure suits, with an unfavorable report.

H. B. 522, a bill to validate the acts of certain justices of the peace of Transylvania County, with a favorable report.

H. B. 560, a bill to amend chapter 276 of the Public-Local Laws of 1913 and all subsequent amendments thereto, relating to the recorder's court of Lexington, with a favorable report.

S. B. 171, a bill to amend chapter 342, Private Laws of North Carolina, session of 1907, chapter 394, Private Laws of North Carolina, session of 1909, chapter 359, Private Laws of North Carolina, session of 1913; and chapter 75, Private Laws of North Carolina, Extra Session of 1913, relating to the charter of the city of Charlotte, with an unfavorable report.

H. B. 251, a bill to regulate the hours of labor in industry in Richmond County, with an unfavorable report.

S. B. 172, a bill to transfer the Theft Bureau with all its powers and duties, to the State Highway Patrol, without additional pay or compensation to the Highway Patrol, with an unfavorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

H. B. 407, a bill to amend section 1608 (u) of the Consolidated Statutes, relating to jury trials in the general county court, with an unfavorable report.

H. B. 500, a bill to amend section 160 of the Consolidated Statutes, relating to payment of burial expenses from assets derived from wrongful act, with a favorable report.

H. B. 512, a bill to permanently exempt firemen from jury duty in Pasquotank County after ten years service as a regular fireman, with a favorable report.

H. B. 553, a bill to amend section 205 of the Consolidated Statutes, relating to disbarment of attorneys at law, with a favorable report.

H. B. 356, a bill to amend section 1461 of the Consolidated Statutes, relating to court stenographers, with a favorable report.

H. B. 589, a bill to amend chapter 147 of the Private Laws of 1907, being "An act to amend and revise the charter of the town of Waco, in Cleveland County," with a favorable report.

S. B. 230, a bill to repeal chapter 99 of Public-Local Laws of 1921, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey Counties, with a favorable report.



H. B. 568, a bill to amend chapter 101 of the Private Laws of 1883, relative to appointing a commission for the management of the cemetery and sale of cemetery lots in the town of Conover, Catawba County, with a favorable report.

H. B. 286, a bill to amend section 3904 of the Consolidated Statutes of 1919, relating to fees in the recorder's court in Scotland County, with a favorable report.

H. B. 485, a bill to amend chapter 442, Public-Local Laws, 1931, relative to issuance and filing of pleadings in claim and delivery actions, with a favorable report.

By Senator Long, for the Committee on Public Health:

S. B. 190, a bill to permit certain persons duly licensed as pharmacists in other states to stand the examination to practice pharmacy, with a favorable report, as amended.

S. B. 253, a bill requiring vaccination of dogs against rabies, with a favorable report.

By Senator MacLean, for the Committee on Education:

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor, with a favorable report, as amended.

By Senator Hinsdale, for the Committee on Judiciary No. 1.

S. B. 241, a bill to amend section 2578, Consolidated Statutes of North Carolina with reference to devolution of power of sale in mortgage or deed of trust upon death of mortgagee or trustee, with a favorable report.

H. B. 231, a bill to amend section 2494, Volume III, of the Consolidated Statutes requiring all couples of North Carolina who marry in another state to file a copy of their marriage certificate in the office of the register of deeds of the home county of the bridegroom, with a favorable report.

H. B. 270, a bill to amend chapter 307, Private Laws of 1905, amending the charter of the Lenoir-Rhyne College, with a favorable report.

H. B. 300, a bill to amend section 765 of the Consolidated Statutes of North Carolina of 1919, allowing the clerk of the Superior Court to force commissioners appointed by said clerk of the Superior Court, in all actions or special proceedings to file a final account of receipts and disbursements on account of the sale of the real or personal property sold by said commissioner or commissioners, with a favorable report.

By Senator Fuller, for the Committee on Game Laws:

S. B. 254, a bill to amend the North Carolina Game Law, with a favorable report, as amended.

S. B. 54, a bill to place a bounty upon the scalps of coyotes, wild cats and crows killed in Macon County, with a favorable report.

S. B. 240, a bill to prevent the taking and catching of game and wild animals in steel traps in Sampson County, with a favorable report.

S. B. 149, a bill to prohibit fishing and hunting in and on the waters of Lake Summit and Green River in Henderson County, with a favorable report.

## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives:

S. B. 96, a bill to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission.

S. B. 138, a bill to prohibit the sale of convict made goods.

S. B. 246, a bill increasing the number of commissioners of Rutherford County, fixing their compensation, and creating five districts for the nomination of said commissioners.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator McNeill of Cumberland: S. B. 262, a bill creating the office of tax collector in Cumberland County.

Referred to Committee on Finance.

By Senator Walker: S. B. 263, a bill relating to appropriation and anticipation of school maintenance and other funds in the city of Burlington.

Referred to Committee on Education.

By Senator Blackburn: S. B. 264, a bill authorizing the commissioners of Wilkes County to fix bond for sheriff.

Referred to Committee on Finance.

By Senator Ingram: S. B. 265, a bill for the relief of certain property owners in the town of Asheboro, Randolph County.

Referred to Committee on Finance.

By Senator Bland: S. B. 266, a bill to validate the official acts of T. F. Jarman, a justice of the peace of Indian Springs Township, Wayne County.

Upon motion of Senator Bland, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Patton: S. B. 267, a bill relating to the compensation of the sheriff and tax collector of Cherokee County.

Referred to Committee on Salaries and Fees.

By Senator Clark: S. B. 268, a bill to provide for application of certain funds to indebtedness for care and maintenance of inmates and patients at State Hospitals and charitable institutions.

Referred to Committee on Judiciary No. 1.

By Senator McNeill of Ashe: S. B. 269, a bill to place the name of Mrs. Laura Fender, widow of John Fender, Confederate veteran of Ashe County, upon the pension roll in class "A."

Referred to Committee on Pensions.



## ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 151, an act to establish the office of public cotton weigher for township one of Edgecombe County.

S. R. 350, a joint resolution designating the State Laboratory of Hygiene Building as "The Clarence A. Shore State Laboratory of Hygiene Building."

H. B. 441, an act to amend the charter of the city of Durham so as to extend the corporate limits of said city.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 71, a bill to reduce the salaries of the State Highway Commissioners and all State Highway employees receiving salaries above fifteen hundred dollars per annum.

Referred to Committee on Salaries and Fees.

H. B. 659, a bill to abolish the office of farm demonstration agent for New Hanover County.

Referred to Committee on Agriculture.

H. B. 158, a bill setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes.

Referred to Committee on Finance.

HOUSE OF REPRESENTATIVES,

THURSDAY, February 23, 1933.

*Mr. President:*

In compliance with your request for the return of H. B. 348, title, "to prohibit the county of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness," we are returning the same to you for further consideration by your Body.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

Upon motion of Senator McNeill of Ashe, the vote by which the bill passed its second and third readings is reconsidered.

Upon motion of Senator McNeill of Ashe, the vote by which the amendment was adopted is reconsidered.

Senator McNeill of Ashe withdraws his amendment.

The bill passes its second and third readings and is ordered enrolled.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 210, a bill to confer civil jurisdiction upon the county recorder's court of Watauga County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 227, a bill to repeal the absentee ballot law for Mitchell County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 614, a bill to provide for the election of aldermen of the city of Kinston.

Passes its second and third readings and is ordered enrolled.

H. B. 337, a bill amending chapter 651, Public Laws of 1909, as amended, relating to the municipal court of the city of Greensboro.

Passes its second and third readings and is ordered enrolled.

S. B. 93, a bill to abolish the Corporation Commission and to create the office of Utilities Commissioner and to prescribe and define the functions, powers and duties of such Utilities Commissioner.

The substitute offered by the Committee is adopted.

Senator Francis offers an amendment.

Senator Dunagan offers an amendment.

Senator Hinsdale offers an amendment.

Senator Hinsdale offers a second amendment which is adopted.

The first amendment offered by Senator Hinsdale is adopted.

Upon the adoption of the amendment offered by himself, Senator Dunagan calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 19, noes 24, as follows:

Those voting in the affirmative are: Senators Bell, Boggan, Clark, Clement, Dempsey, Dunagan, Efird, Greene, Hairfield, Hill, Joyner, Kirkpatrick, Long, McNeill of Ashe, Noell, Patton, Sparger, Walker, Waynick—19.

Those voting in the negative are: Senators Aiken, Bagley, Bailey, Blackburn, Blackstock, Bland, Brown, Burgin, Cross, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hanes, Hartsell, Ingram, Land, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Rankin, Summersill—24.

The amendment offered by Senator Francis is adopted.

Upon the passage of the bill on its second reading, Senator Sparger calls for the ayes and noes.

The call is sustained.

The bill passes second reading, ayes 34, noes 11, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Blackburn, Blackstock, Bland, Brown, Burgin, Clark, Clement, Cross, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Hartsell, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBrayde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Summersill—34.

Those voting in the negative are: Senators Bell, Boggan, Dempsey, Dunagan, Greene, Hairfield, Hill, Noell, Sparger, Walker, Waynick—11.

Senator Clement offers an amendment.

Senator Griffin of Franklin offers an amendment which fails of adoption.

The amendment offered by Senator Clement is adopted.

The bill, as amended, passes its third reading and is ordered engrossed.



H. B. 560, a bill to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments, thereto, relating to the recorder's court of Lexington.

Senator Burgin offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

Upon motion of Senator Greene, the Senate adjourns to meet tomorrow at 12:00 o'clock m.

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### FORTY-FIFTH DAY

SENATE CHAMBER,

FRIDAY, February 24, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Dr. A. B. Hunter of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the gallery are extended to the class of the Junior Orphanage Home of Davidson County.

The courtesies of the floor are extended to ex-Senators R. L. Lindsay and Elbert Peele.

Senator Patton moves that H. B. 290, a bill to consolidate Charleston and Oconalufty township in Swain County into one township to be known as Charleston township, be taken from the unfavorable Calendar and placed upon the Calendar.

The motion prevails.

Senator Walker moves that S. B. 238, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said patrol to perform additional duties to those prescribed by the acts of 1929, chapter 218, and the acts of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspection of motor vehicle inspectors, be taken from the Calendar and re-referred to the Committee on Agriculture.

The motion fails to prevail.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Aiken, for the Committee on Courts and Judicial Districts:

H. B. 85, a bill to make the office of the solicitor of the recorder's court of Lincoln County elective, with a favorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

S. B. 233, a bill to amend chapter 46, Private Laws, 1915, relating to the election of a mayor and commissioners of the town of Smithfield, Johnston County, with a favorable report.

S. B. 239, a bill providing for the appointment of a cotton weigher for the town of Clinton, Sampson County, with a favorable report.

S. B. 242, a bill to amend the charter of the city of Roanoke Rapids in Halifax County, to extend its corporate limits and to provide for its government and for other purposes, with a favorable report.

H. B. 562, a bill to repeal chapter 76 of Public-Local Laws of the extra session of 1924, relating to the appointment of special constable in Wilson County, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1.

H. B. 51, a bill to amend section 2314 of the Consolidated Statutes, relating to jurors, with a favorable report.

H. B. 408, a bill to amend section 1608 (cc) of the Consolidated Statutes, regulating appeals from the general county court to the Superior Court, with a favorable report.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 93, a bill to abolish the Corporation Commission and to create the office of Utilities Commissioner and to prescribe and define the functions, powers and duties of such Utilities Commissioner.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Fuller: S. B. 270, a bill to privilege George R. Brisson to practice the art of massage healer in Robeson County, North Carolina.

Referred to Committee on Public Health.

By Senator Sparger: S. B. 271, a bill for the relief of delinquent taxpayers of the town of Mount Airy in Surry County, and to provide for deferring foreclosure actions on sales of property heretofore made for non-payment of taxes, etc.

Upon motion of Senator Sparger the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Sparger: S. B. 272, a bill to fix and determine the October term of Surry Superior Court.

Referred to Committee on Courts and Judicial Districts.



By Senator Blue: S. B. 273, a bill amending chapter 117 of the Public-Local Laws of North Carolina, session 1921, regulating the fees of the sheriff of Scotland County.

Referred to Committee on Salaries and Fees.

By Senator Blue: S. B. 274, a bill amending chapter 28 of the Public-Local Laws of North Carolina, extra session, 1924, regulating the compensation of the members of the grand jury of Scotland County.

Referred to Committee on Salaries and Fees.

By Senator Waynick: S. B. 275, a bill more clearly to define the duties of the commissioner of labor.

Referred to Committee on Reorganization of State Government.

By Senator Joyner: S. B. 276, a bill to amend section 2015 of the Consolidated Statutes of North Carolina, relating to fishing in Roanoke River.

Referred to Committee on Fish and Fisheries.

By Senator MacLean, by request: S. B. 277, a bill to relieve church property in the town of Oriental, Pamlico County, from street paving assessments if approved by a majority of the voters.

Referred to Committee on Finance.

By Senator Hanes: S. B. 278, a bill to amend the charter of the city of Winston-Salem, being chapter 232, Private Laws of 1927, and chapter 51, Private Laws of 1931, relating to the city of Winston-Salem.

Referred to Committee on Election Laws.

By Senator Patton: S. B. 279, a bill to place Jasie Patterson on the North Carolina Pension Roll.

Referred to Committee on Pensions.

By Senator Patton: S. B. 280, a bill to place James Deal (colored) on the North Carolina Pension Roll.

Referred to Committee on Pensions.

By Senator Patton: S. B. 281, a bill to enable counties to establish district jails.

Referred to Committee on Finance.

By Senator Corey: S. B. 282, a bill to repeal sections 1, 2 and 3 of chapter 261 of the Public Laws of 1927, and to transfer the duties of the superintendent of weights and measures to the division of gas and oil inspection without additional salary.

Referred to Committee on Agriculture.

By Senator Corey: S. B. 283, a bill to amend section 24, chapter 120 of the Public Laws of 1929, relating to the time within which claim must be filed under the workmen's compensation act.

Referred to Committee on Insurance.

S. B. 284, a bill to prohibit the purchase and maintenance by the State of automobiles for the use of State Departments, officers and employees.

Referred to Committee on Appropriations.

By Senator Blackstock: S. B. 285, a bill to amend chapter 119, Public Laws of 1929, to provide for the appointment of a journeyman barber on the State Board of Barbers Examiners.

Referred to Committee on Salaries and Fees.

## PETITIONS AND MEMORIALS

A petition of merchants of Selma, Johnston County protesting against the proposed general sales tax, is presented by Senator Grady and referred to the Committee on Finance.

## ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 34, an act to amend section 1443 of the Consolidated Statutes, relating to the courts of Cabarrus County.

S. B. 61, an act to amend the law in regard to the general county court of Alamance County.

S. B. 65, an act to exempt Wilkes and Yadkin Counties from the provisions of chapter 348, Public-Local Laws, 1931, relating to the territorial jurisdiction of the recorder's court of Elkin, Surry County.

S. B. 74, an act relating to terms of Superior Court in Bladen County.

S. B. 245, an act relating to the general fund of Rutherford County.

H. B. 337, an act amending chapter 651, Public Laws of 1909, as amended, relating to the municipal court of the city of Greensboro.

H. B. 348, an act to prohibit the county of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebtedness.

H. B. 614, an act to provide for the election of aldermen of the city of Kinston.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 83, a bill to amend chapter 351 of the Public Laws of 1931, relating to non-resident fishing license in Graham County.

Referred to Committee on Fish and Fisheries.

H. B. 287, a bill to amend chapter 115 of the Public-Local Laws of 1913, entitled "An act to establish a criminal court for the county of Scotland."

Referred to Committee on Courts and Judicial Districts.

H. B. 293, a bill to amend the law relating to the recorder's court for the county of Brunswick.

Referred to Committee on Courts and Judicial Districts.

H. B. 330, a bill to amend section 1443 of Volume III of the Consolidated Statutes, relating to the courts of Jackson County.

Referred to Committee on Courts and Judicial Districts.

H. B. 346, a bill to repeal chapter 425 of the Public-Local Laws of 1931, relative to the boundary line between the county of Ashe and the county of Wilkes.

Referred to Committee on Counties, Cities and Towns.

H. B. 351, a bill to amend section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Swain County.

Referred to Committee on Courts and Judicial Districts.



H. B. 383, a bill to amend section 1443 of Volume III of the Consolidated Statutes, as amended, relating to terms of court in Tyrrell County.

Referred to Committee on Courts and Judicial Districts.

H. B. 426, a bill to authorize the county commissioners of Greene County to employ some person to administer hog cholera serum in Greene County.

Referred to Committee on Counties, Cities and Towns.

H. B. 430, a bill to amend section 1443, Volume III, Consolidated Statutes, relating to terms of court in Union County.

Referred to Committee on Courts and Judicial Districts.

H. B. 435, a bill relating to hunting wild hogs, raccoon and opossum in Graham County.

Referred to Committee on Game Laws.

H. B. 501, a bill relating to the duties of the State Farm Demonstration Agent in Northampton County.

Referred to Committee on Agriculture.

H. B. 565, a bill to amend chapter 520 of the Public-Local Laws of 1915, being "An act to establish a special court for Forsyth County with civil jurisdiction to be known as Forsyth County Court and the amendments thereto relating to terms of court."

Referred to Committee on Courts and Judicial Districts.

H. B. 566, a bill to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the western division, eleventh district, so as to fix the terms of court for Forsyth County.

Referred to Committee on Courts and Judicial Districts.

H. B. 572, a bill amending chapter 381, of the Public-Local Laws of North Carolina, session 1923, providing for the appointment of financial agents for the county of Scotland.

Referred to Committee on Finance.

H. B. 573, a bill regulating the jurisdiction of the Superior Courts of Scotland County.

Referred to Committee on Courts and Judicial Districts.

H. B. 580, a bill to amend chapter 19, Public-Local Laws 1931, relating to the drawing of jurors in Jackson County.

Referred to Committee on Judiciary No. 2.

H. B. 581, a bill to fix the fees to be collected by the clerk of the Superior Court of Jackson County.

Referred to Committee on Judiciary No. 2.

H. B. 593, a bill providing for the appointment of a special deputy sheriff for the village of Caraleigh, Raleigh Township.

Referred to Committee on Counties, Cities and Towns.

H. B. 620, a bill to permit the commissioners of Graham County to purchase an automobile for use in said county.

Referred to Committee on Finance.

H. B. 622, a bill to provide for jury trials in the recorder's court of Cleveland County, sitting at Kings Mountain.

Referred to Committee on Judiciary No. 1.

H. B. 623, a bill to amend chapter 489, Public-Local Laws 1929, exempting Cleveland County from the real estate commission law.

Referred to Committee on Counties, Cities and Towns.

H. B. 705, a bill to validate sale of real estate for non-payment of 1931 taxes by Moore County.

Referred to Committee on Finance.

H. B. 706, a bill to amend section 1681 of the Consolidated Statutes of North Carolina so as to exempt Moore County from provision for payment for damages done by dogs.

Referred to Committee on Finance.

H. B. 709, a bill providing for an official court reporter for the Superior Court of Buncombe County.

Referred to Committee on Judiciary No. 1.

H. B. 713, a bill fixing the salaries and fees of the officers of Alexander County, abolishing the office of tax collector and the recorder's court of said county.

Referred to Committee on Salaries and Fees.

H. B. 599, a bill to establish a consolidated governing body for the city of Wilmington and the county of New Hanover.

Referred to Committee on Counties, Cities and Towns.

HOUSE OF REPRESENTATIVES,  
FRIDAY, February 24, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the Conference Report on House Committee substitute for S. B. 97, title "Salaries of Solicitors," and upon receipt from your Body with the information that your Body has adopted a similar report, the bill will be ordered enrolled.

Respectfully,

THAD EURE,  
*Principal Clerk.*

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 54, a bill to place a bounty upon the scalps of coyotes, wild cats and crows killed in Macon County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 149, a bill to prohibit fishing and hunting in and on the waters of Lake Summit and Green River in Henderson County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 230, a bill to repeal chapter 99 of Public-Local Laws of 1921, relating to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey Counties.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 240, a bill to prevent the taking and catching of game and wild animals in steel traps, Sampson County.

Passes its second and third readings and is ordered sent to the House of Representatives.



H. B. 286, a bill to amend section 3904 of the Consolidated Statutes of 1919, relating to fees in the recorder's court in Scotland County.

Passes its second and third readings and is ordered enrolled.

H. B. 356, a bill to amend section 1461 of the Consolidated Statutes, relating to court stenographers.

Passes its second and third readings and is ordered enrolled.

H. B. 480, a bill relating to official bonds of public officers in Gaston County.

Passes its second and third readings and is ordered enrolled.

H. B. 512, a bill to permanently exempt firemen from jury duty in Pasquotank County after ten years service as a regular fireman.

Passes its second and third readings and is ordered enrolled.

H. B. 513, a bill to amend section 2366 of the Consolidated Statutes, relating to breach of contract of tenant, so as to include Pasquotank among the several other counties named in said section.

Passes its second and third readings and is ordered enrolled.

H. B. 568, a bill to amend chapter 101 of the Private Laws of 1883, relative to appointing a commission for the management of the cemetery and sale of cemetery lots in the town of Conover, Catawba County.

Passes its second and third readings and is ordered enrolled.

H. B. 589, a bill to amend chapter 147 of the Private Laws of 1907, being "An act to amend and revise the charter of the town of Waco in Cleveland County."

Passes its second and third readings and is ordered enrolled.

H. B. 522, a bill to validate the acts of certain justices of the peace of Transylvania County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 38, a bill to amend chapter 150 of the Private Laws of North Carolina, session of 1925, relating to the Charlotte Park and Recreation Commission, upon second reading.

The bill passes second reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Efrd, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Joyner, Land, Long, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—41.

S. B. 127, a bill to validate certain sales of land for taxes and certificates issued in pursuance thereof, for concurrence in the House amendment.

Upon motion of Senator Griffin of Chowan, the Senate fails to concur in the House amendment and asks for a Conference thereon.

The President appoints as conferees on the part of the Senate to consider the differences arising upon the bill, Senators Griffin of Chowan and Hill.

S. B. 103, a bill to amend chapter 366, Public Laws of 1931, so as to permit the continued use of 1932 license tags to July 1, 1933, upon payment of semi-annual or quarterly license fees.

Upon motion of Senator Land, action on the bill is deferred until Tuesday, February 28.

S. B. 180, a bill to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

Senator Clement offers an amendment which is adopted.

Senator Francis offers an amendment which fails of adoption.

Senator Patton offers an amendment which fails of adoption.

The bill, as amended, passes its second reading.

Senator Hinsdale objects to the final passages of the bill.

Senator Dunagan moves that the rules be suspended and the bill placed upon its third reading.

The motion fails to prevail and it remains upon the Calendar.

S. B. 190, a bill to permit certain persons duly licensed as pharmacists in other States to stand the examination to practice pharmacy.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 206, a bill to amend chapter 402, being "An act to authorize, empower and direct the sheriff and other tax collecting officers in certain counties and municipalities to establish a partial payment plan for the collection of taxes" and to add the counties of Buncombe, Haywood and Rowan to the provisions of said act.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 229, a bill to amend section 150 of the Consolidated Statutes of North Carolina to extend the time for the administration and final settlement of estates.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 238, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil, inspection division to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture, and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors of motor vehicles inspectors.

Senator Bailey offers an amendment.

Upon motion of Senator Aiken, action on the bill is deferred and it remains upon the Calendar.

Upon motion of Senator Ingram, the bill is made a special order for Tuesday, February 28.

#### CONFERENCE REPORT

Senator Hartsell makes a report for the Conferees appointed to consider the differences arising upon S. B. 97, a bill to amend section 3890 of Consolidated Statutes of North Carolina, and reducing the salaries of solicitors of the Superior Courts, as follows:



*To the Senate and House of Representatives:*

Your Conference Committee having under advisement House Committee Substitute for Senate Bill 97, and Senate amendment thereto, relating to salaries of Solicitors of the Superior Court, hereby recommend that both Houses pass, in lieu of said substitute bill and amendment, the following:

Section 1. That chapter 157 of the Public Laws of North Carolina, 1923, be and the same is hereby amended by striking out all of section 1 and inserting in lieu thereof the following: "That the several solicitors of the judicial districts of the State of North Carolina shall each receive, as full compensation for their services as solicitor, the sum of three thousand nine hundred dollars (\$3,900.00) per annum, to be paid in equal monthly installments out of the State Treasury upon warrants duly drawn thereon, which said salary shall be paid in lieu of all fees or other compensation."

Section 2. That section 2 of chapter 157 of the Public Laws of North Carolina, 1923, be and the same is hereby repealed.

Section 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

Section 4. That this act shall be in force from and after its ratification.

Respectfully submitted,

L. T. HARTSELL, JR.,

L. I. MOORE,

*Conferees of the Senate.*

LAURIE McEACHERN,

F. M. TAYLOR,

S. C. BRAWLEY,

*Conferees of the House.*

Upon motion of Senator Hartsell, the report of the Conferees is adopted and a message is ordered sent to the House of Representatives informing that Body of this action.

Upon motion of Senator Sparger, the Senate adjourns to meet tomorrow morning at 10:00 o'clock and that only local bills be considered, and that when the Senate adjourns tomorrow it adjourn to meet at 3:00 o'clock p.m. Monday.

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## FORTY-SIXTH DAY

SENATE CHAMBER,

SATURDAY, February 25, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. E. McNeill Poteat of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

H. B. 333, a bill to extend the time for payment of municipal street assessments in the town of Waynesville, with a favorable report.

H. B. 414, a bill to validate and authorize the sale of lands for taxes by municipalities in Haywood, Graham, Swain, Jones, Jackson and Cherokee Counties, with a favorable report.

H. B. 424, a bill to extend the time for payment of street assessments in the town of Ahsokie, Hertford County, with a favorable report.

H. B. 507, a bill to authorize, empower and direct the sheriff and/or tax collector of Bladen County to accept county vouchers in payment of taxes, with a favorable report.

S. B. 236, a bill to ratify and validate extension of benefit assessments in town of Cherryville, N. C., with a favorable report.

S. B. 265, a bill for the relief of certain property owners in the town of Asheboro, Randolph County, with an unfavorable report.

H. B. 285, a bill to extend the time for payment of street assessments in the town of Elkin, with a favorable report.

H. B. 253, a bill for the relief of sheriffs and tax collectors, with a favorable report.

S. B. 262, a bill creating the office of tax collector in Cumberland County, with a favorable report.

S. B. 237, a bill to authorize the board of school commissioners of Gastonia Graded School District, Gaston County, to issue bonds and to provide for a tax levy for the payment thereof, with a favorable report.

H. B. 451, a bill to amend section 2808, Consolidated Statutes of North Carolina, relating to collection of water rents, with a favorable report.

H. B. 487, a bill to amend chapter 111, Public-Local Laws of 1929, relative to tax collector of Rutherford County, with a favorable report.

H. B. 595, a bill to place the collection of dog taxes in Pasquotank County under the direct and immediate supervision of the sheriff, with a favorable report.

H. B. 631, a bill to better protect the revenues and public funds of Cherokee County, with a favorable report.

H. B. 549, a bill authorizing the county of Franklin to accept vouchers issued by said county in payment of taxes and other obligations due the county, with a favorable report.

H. B. 587, a bill relating to special assessments levied by the town of Lincolnton, with a favorable report.

H. B. 604, a bill to authorize the commissioners of the town of Winton to appoint an agent or agents for the collection of taxes in said county, with a favorable report.

H. B. 95, a bill to amend section 1334 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenue in Hertford County, with a favorable report.



By Senator Walker, for the Committee on Election Laws:

S. B. 278, a bill to amend the charter of Winston-Salem, being chapter 232, Private Laws of 1927, and chapter 51, Private Laws of 1931, relating to the city of Winston-Salem, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Greene: S. B. 286, a bill to repeal chapter 177, Public-Local Laws of 1931, creating a jury and tax commission for Madison County.

Referred to Committee on Judiciary No. 2.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

HOUSE OF REPRESENTATIVES,  
February 24, 1933.

*Mr. President:*

Pursuant to your notice that your Honorable Body has failed to concur in the House amendment to S. B. 85, title "to amend chapter 119, Public Laws of 1929, and chapter 32 of the Public Laws of 1931, relating to State Barbers' License Law," and the appointment of a conference committee, the Speaker appoints as conferees on the part of the House, Messrs. Froneberger, Hoyle and Arndt.

Respectfully,

THAD EURE,  
*Principal Clerk.*

H. B. 128, a bill to provide for unincorporated beneficial organizations, associations and/or societies to sue or be sued in common name.

Referred to Committee on Insurance.

H. B. 361, a bill to amend chapter 120 of Public Laws, 1929, exempting saw mills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act.

Referred to Committee on Insurance.

H. B. 432, a bill to enable the Governor of North Carolina to better perform his duties under the Constitution in the matter of reprieves, commutations and pardons and thereby more expeditiously handle the prison problem and reduce the cost of administration thereof.

Referred to Committee on Penal Institutions.

H. B. 504, a bill to amend chapter 119 of the Private Laws of 1927, and to change the corporate boundaries of the town of Windsor in Bertie County.

Referred to Committee on Counties, Cities and Towns.

H. B. 531, a bill to authorize and empower the town of East Flat Rock, Henderson County, to sell its delinquent tax list for the year 1930.

Referred to Committee on Counties, Cities and Towns.

H. R. 582, a joint resolution setting aside the week of March 5 to 11, 1933, as National Business Women's Week.

Referred to Committee on Public Welfare.

H. B. 669, a bill to amend chapter 168 of the Public-Local Laws, session of 1931, being "An act to create a jury commission for the county of Yancey."

Referred to Committee on Judiciary No. 2.

H. B. 728, a bill applying to the collection of taxes in Brunswick County.

Referred to Committee on Finance.

H. B. 588, a bill to repeal chapter 17, and chapter 126 of the Public Laws of the session of 1929, relating to establishment of recorder's court in Burke County; and to repeal chapters 422 and 335 of Public Laws of the session of 1931, relating to the General County Courts in Burke County.

Referred to Committee on Courts and Judicial Districts.

H. B. 585, a bill to amend chapter 316, Public-Local Laws of 1929, and chapter 451, Public Laws of 1931, relative to delinquent taxpayers in Craven County, and to re-enact the same as amended.

Referred to Committee on Finance.

H. B. 571, a bill repealing chapter 183 of the Public-Local Laws of North Carolina, extra session of 1924, and regulating the fees of the clerk of the Superior Court of Scotland County.

Referred to Committee on Salaries and Fees.

H. B. 694, a bill relating to the municipal county court of Lenoir County.

Referred to Committee on Courts and Judicial Districts.

H. B. 704, a bill to amend chapter 206, Public-Local Laws of extra session of 1920, providing compensation for cotton weigher at Enfield.

Referred to Committee on Salaries and Fees.

H. B. 691, a bill to amend section 2649 of the Consolidated Statutes of North Carolina so as to make same applicable to the city of Shelby, North Carolina.

Referred to Committee on Finance.

H. B. 561, a bill to repeal chapter 45 of the Public Laws of 1929, "An act to amend article 7 of chapter 71, sections 3903, 3906 and 3908, Consolidated Statutes of North Carolina as to Halifax County."

Referred to Committee on Judiciary No. 1.

H. B. 584, a bill to reduce the salary of the mayor of the city of New Bern.

Referred to Committee on Salaries and Fees.

H. B. 605, a bill to amend chapter 291 of the Public-Local Laws of 1931, relative to the salary of the tax collector and the expense of the collection of taxes in Franklin County.

Referred to Committee on Salaries and Fees.

H. B. 514, a bill to amend chapter 167, Public Laws of 1929, relating to the courts of Pasquotank County.

Referred to Committee on Courts and Judicial Districts.

H. B. 608, a bill to appoint trustees for the Cooper Burial Ground in Caswell County.

Referred to Committee on Counties, Cities and Towns.

H. B. 690, a bill to amend chapter 194 of the Private Laws of North Carolina, session 1901, so as to fix the date on which the officers of the city of Shelby will take their office.

Referred to Committee on Counties, Cities and Towns.



H. B. 648, a bill to amend chapter 207 of the Public Laws of 1927, relative to the Superior Courts of Henderson County.

Referred to Committee on Courts and Judicial Districts.

H. B. 649, a bill to repeal chapter 131 of the Public Laws of 1931, and to amend section 2334, Volume III, Consolidated Statutes, so as to provide 12 months grand jury in Henderson County.

Referred to Committee on Judiciary No. 1.

H. B. 650, a bill to amend chapter 273 of the Public Laws of 1929, relative to the punishment of makers of worthless checks so as to place Henderson County under the provisions thereof.

Referred to Committee on Judiciary No. 1.

H. B. 663, a bill to repeal chapter 799 of the Public-Local Laws of North Carolina, relating to costs in the courts of the justices of the peace of Buncombe County.

Referred to Committee on Salaries and Fees.

H. B. 670, a bill to amend chapter 42, Public Laws, 1927, relating to rewards for the capture of stills in Union County.

Referred to Committee on Propositions and Grievances.

H. B. 603, a bill to amend section 444 of the Consolidated Statutes, fixing the time within which an action may be brought to recover from a party purchasing crop on which there is a lien.

Referred to Committee on Judiciary No. 2.

H. B. 449, a bill to fix fees for recording agricultural liens in Beaufort County.

Referred to Committee on Judiciary No. 2.

H. B. 505, a bill to fix the salaries of the officers of Bladen County.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 217, a bill to repeal sub-section 1037 (e) of section 1, of chapter 455 of the Public Laws of 1931, requiring a certificate of public convenience and necessity before a person or corporation can construct or operate a public utility system or plant in competition with other public utilities and plants.

Referred to Committee on Judiciary No. 1.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 190, a bill to permit certain persons duly licensed as pharmacists in other States to stand the examination to practice pharmacy.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 233, a bill to amend chapter 46, Private Laws, 1915, relating to the election of mayor and commissioners of the town of Smithfield, Johnston County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 239, a bill providing for the appointment of a cotton weigher for the town of Clinton, Sampson County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 85, a bill to make the office of the solicitor of the recorder's court of Lincoln County elective.

Passes its second and third readings and is ordered enrolled.

H. B. 270, a bill to amend chapter 307, Private Laws of 1905, amending the charter of the Lenoir-Rhyne College.

Passes its second and third readings and is ordered enrolled.

H. B. 562, a bill to repeal chapter 76 of Public-Local Laws of the extra session of 1924, relating to the appointment of special constables in Wilson County.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Greene, S. B. 230, a bill to repeal chapter 99 of Public-Local Laws of 1921, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey Counties, is recalled from the House of Representatives.

Upon motion of Senator Patton, the Senate adjourns to meet Monday at 3:00 o'clock p.m.

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## FORTY-SEVENTH DAY

SENATE CHAMBER,

MONDAY, February 27, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. O. L. Riggs, Pullen Baptist Church, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Brown, H. B. 599, a bill to establish a consolidated governing body for the city of Wilmington and the county of New Hanover, is taken from the Committee on Counties, Cities and Towns, and H. B. 659, a bill to abolish the office of Farm Demonstration Agent for New Hanover County, is taken from the Committee on Agriculture, and they are placed upon the Calendar.

Upon motion of Senator Long, H. R. 582, a joint resolution setting aside the week of March 5-11, 1933, as National Business Women's Week, is taken from the Committee on Public Welfare and placed upon the Calendar for consideration at today's session.



## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Patton: S. B. 287, a bill relating to and providing for extension of time for the payment of taxes and interest charges upon delinquent taxes in Macon County.

Upon motion of Senator Patton, the bill is placed upon the Calendar.

By Senator Hinsdale: S. B. 288, a bill amending section 93 of the Consolidated Statutes by placing hospital bills in the second class in the payment of the debts of a decedent.

Referred to Committee on Judiciary No. 1.

## ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 97, an act to amend section 3890 of the Consolidated Statutes of North Carolina and reducing the salaries of solicitors of the Superior Court.

S. B. 131, an act to validate certain sales of real and personal property made by sheriffs under execution.

S. B. 135, an act relating to foreclosures of mortgages or deeds of trust in Macon County.

S. B. 139, an act to amend the Public Laws of 1917, chapter 136, as set forth in article 19, Consolidated Statutes, part 2, plan "B," relating to municipal corporations.

S. B. 142, an act to amend chapter 208 of the Public Laws of 1929, amending section 1443 of Consolidated Statutes, relating to terms of court of Johnston County.

S. B. 178, an act to amend chapter 299 of Public Laws of 1931, relating to the standard weight of packages of corn meal in Macon County.

S. B. 182, an act to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Randolph County from the absentee voters law.

S. B. 211, an act to incorporate Hubert M. Smith Post No. 77, American Legion, Hendersonville, North Carolina, for the purpose of acquiring title to real estate in Henderson County to be used as a meeting place or club house for said post.

S. B. 246, an act increasing the number of commissioners of Rutherford County, fixing their compensation, and creating five districts for the nomination of said commissioners.

S. B. 266, an act to validate the official acts of T. F. Jarman, a justice of the peace of Indian Springs Township, Wayne County.

H. B. 85, an act to make the office of the solicitor of the recorder's court of Lincoln County elective.

H. B. 270, an act to amend chapter 307, Private Laws of 1905, amending the charter of the Lenoir-Rhyne College.

H. B. 286, an act to amend section 3904 of the Consolidated Statutes of 1919, relating to fees in the recorder's court in Scotland County.

H. B. 356, an act to amend section 1461 of the Consolidated Statutes, relating to court stenographers.

H. B. 480, an act relating to official bonds of public officers in Gaston County.

H. B. 505, an act to fix the salaries of the officers of Bladen County.

H. B. 512, an act to permanently exempt firemen from jury duty in Pasquotank County after ten years service as a regular fireman.

H. B. 513, an act to amend section 2366 of the Consolidated Statutes relating to breach of contract of tenant, so as to include Pasquotank among the several other counties named in said section.

H. B. 522, an act to validate the acts of certain justices of the peace of Transylvania County.

H. B. 560, an act to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto relating to the recorder's court of Lexington.

H. B. 562, an act to repeal chapter 76 of Public-Local Laws of the extra session of 1924, relating to the appointment of special constables in Wilson County.

H. B. 568, an act to amend chapter 101 of the Private Laws of 1883, relative to appointing a commission for the management of the cemetery and sale of cemetery lots in the town of Conover, Catawba County.

H. B. 589, an act to amend chapter 147 of the Private Laws of 1907, being an act to amend and revise the charter of the town of Waco, in Cleveland County.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 671, a bill to amend section 1 of chapter 2, Private Laws of 1931, relating to the election of cotton weigher for Marshville, Union County.

Referred to Committee on Counties, Cities and Towns.

H. B. 685, a bill to amend chapter 378 of the Public-Local Laws of 1931, relating to appointment of deputy sheriffs in Union County.

Referred to Committee on Counties, Cities and Towns.

H. B. 686, a bill to amend chapter 80 of the Public-Local Laws of 1931, regarding the office of tax collector of Union County.

Referred to Committee on Finance.

H. B. 687, a bill to amend chapter 82, Public-Local Laws of 1931, relating to the salary of the county accountant of Union County.

Referred to Committee on Salaries and Fees.

H. B. 697, a bill to authorize the tax collector of Macon County and his successors to collect back taxes in Macon County.

Referred to Committee on Finance.

H. B. 754, a bill to amend House Bill No. 560, which was "An act to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto, relative to the recorder's court of Lexington."



Upon motion of Senator Burgin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
February 24, 1933.

*Mr. President:*

It is ordered that a message be sent your honorable body, with the information that the House has failed to adopt the Senate Substitute for H. B. 15, Title, "to repeal chapter 129 of the Public Laws of 1921, being an act regulating the issuance of license to marry and providing for the physical examination of applicants," and asks for a conference. For your information the Speaker has appointed as conferees on the part of the House Messrs. Wilson of Caswell, White of Northampton, and Lee of Sampson.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators Land and Sparger, and a message is ordered sent to the House informing that Body of said appointments.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 237, a bill to authorize the board of school commissioners of Gastonia Graded School District, Gaston County, to issue bonds and to provide for a tax levy for the payment thereof, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Clement, Corey, Dempsey, Dunagan, Efird, Francis, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, Long, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Waynick—40.

S. B. 242, a bill to amend charter of the city of Roanoke Rapids in Halifax County to extend its corporate limits and to provide for its government and for other purposes, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Clement, Corey, Dempsey, Dunagan, Efird, Francis, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, Long, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Waynick—40.

S. B. 278, a bill to amend the charter of the city of Winston-Salem, being chapter 232, Private Laws of 1927, and chapter 51, Private Laws of 1931, relating to the city of Winston-Salem, upon second reading.

The bill passes second reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Bell, Blackstock, Bland, Blue, Boggan, Brown, Clement, Corey, Cross, Dempsey, Dunagan, Efrid, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Waynick—41.

H. B. 249, a bill to grant a new charter for the town of Pine Bluff, Moore County, North Carolina, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Clement, Corey, Dempsey, Dunagan, Efrid, Francis, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, Long, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Waynick—40.

S. B. 236, a bill to ratify and validate extension of benefit assessments in town of Cherryville, North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 262, a bill creating the office of tax collector in Cumberland County.

Passes its second and third readings, and is ordered sent to the House of Representatives.

H. B. 285, a bill to extend the time for payment of street assessments in the town of Elkin.

Passes its second and third readings and is ordered enrolled.

H. B. 333, a bill to extend the time for payment of municipal street assessment in the town of Waynesville.

Passes its second and third readings and is ordered enrolled.

H. B. 414, a bill to validate and authorize the sale of lands for taxes by municipalities in Haywood, Graham, Swain, Jones, Jackson and Cherokee counties.

Passes its second and third readings and is ordered enrolled.

H. B. 424, a bill to extend the time for payment of street assessments in the town of Ahoskie, Hertford County.

Passes its second and third readings and is ordered enrolled.

H. B. 487, a bill to amend chapter 111, Public-Local Laws of 1929, relative to tax collector of Rutherford County.

Passes its second and third readings and is ordered enrolled.

H. B. 507, a bill to authorize, empower and direct the sheriff and/or tax collector of Bladen County to accept county vouchers in payment of taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 549, a bill authorizing the county of Franklin to accept vouchers issued by said county in payment of taxes and other obligations due the county.

Passes its second and third readings and is ordered enrolled.

H. B. 587, a bill relating to special assessments levied by the town of Lincolnton.

Passes its second and third readings and is ordered enrolled.



H. B. 595, a bill to place the collection of dog taxes in Pasquotank County under the direct and immediate supervision of the sheriff.

Passes its second and third readings and is ordered enrolled.

H. B. 604, a bill to authorize the commissioners of the town of Winton to appoint an agent or agents for the collection of taxes in said county.

Passes its second and third readings and is ordered enrolled.

H. B. 631, a bill to better protect the revenues and public funds of Cherokee County.

Passes its second and third readings and is ordered enrolled.

H. B. 599, a bill to establish a consolidated governing body for the city of Wilmington and the county of New Hanover.

Passes its second and third readings and is ordered enrolled.

H. B. 659, a bill to abolish the office of Farm Demonstration Agent for New Hanover County.

Passes its second and third readings and is ordered enrolled.

H. B. 84, a bill to amend section 1 of chapter 336, Public Laws, 1931, providing for the reduction of license fees on automobiles.

Upon motion of Senator Rankin, action on the bill is deferred until Friday, March 3.

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor.

Upon motion of Senator MacLean, action on the bill is deferred and it remains upon the Calendar.

S. B. 180, a bill to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

Upon motion of Senator Clement, action on the bill is deferred and it is made special order No. 2, tomorrow.

S. B. 197, a bill to repeal chapter 28, Public Laws of 1929, being "An act to amend chapter 22, section 1138, of the Consolidated Statutes of North Carolina, relating to corporations."

Upon motion of Senator Hanes, the bill is taken from the Calendar and referred to the Committee on Judiciary No. 1.

S. B. 198, a bill to repeal chapter 29, Public Laws of 1929, being "An act to amend chapter 22, section 1140, of the Consolidated Statutes of North Carolina, relating to corporations."

Upon motion of Senator Hanes, the bill is re-referred to the Committee on Judiciary No. 1.

S. B. 241, a bill to amend section 2578, Consolidated Statutes of North Carolina, with reference to devolution of power of sale in mortgage or deed of trust upon death of mortgagee or trustee.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 254, a bill to amend the North Carolina Game Law.

Senator Clement offers an amendment.

Senator Dunagan moves that the bill be referred to the Committee on Conservation and Development.

The motion fails to prevail.

Senator Bailey offers an amendment.

Senator Moore offers an amendment which is adopted.

The amendment offered by Senator Bailey fails of adoption.

Senator Francis offers an amendment which fails of adoption.

Senator Bailey offers a second amendment which fails of adoption.

Senators Cross, Hanes and Hinsdale offer an amendment which is adopted.

The amendment offered by Senator Clement is adopted.

The amendments offered by the Committee are adopted.

The bill, as amended, passes its second reading and upon objection by Senator McDuffee to its final passage, remains upon the Calendar.

H. B. 51, a bill to amend section 2314 of the Consolidated Statutes relating to jurors.

Senator Hinsdale offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 234, a bill to amend chapter 44 of the Public Laws of 1929, relating to the advertisement of judicial foreclosure sales and to validate sales made thereunder.

Upon motion of Senator Bland, the bill is re-referred to the Committee on Judiciary No. 2.

H. R. 582, a joint resolution setting aside the week of March 5-11, 1933, as National Business Women's Week.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Patton, the Senate adjourns out of respect to the family of Lieutenant-Governor A. H. Graham in the loss of his wife's mother, to meet tomorrow at 12:00 o'clock m.

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## FORTY-EIGHTH DAY

SENATE CHAMBER,

TUESDAY, February 28, 1933.

The Senate meets pursuant to adjournment, and is called to order by President pro tempore W. G. Clark.

Prayer is offered by Dr. Few of Edenton Street Methodist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senator H. J. Rhodes.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:



By Senator Hinsdale, for the Committee on Judiciary No. 1:

H. B. 622, a bill to provide for jury trials in the recorder's court of Cleveland County sitting at Kings Mountain, with a favorable report.

H. B. 649, a bill to repeal chapter 131 of the Public Laws of 1931, and to amend section 2334, Volume III, Consolidated Statutes, so as to provide twelve months grand jury in Henderson County, with a favorable report.

S. B. 268, a bill to provide for application of certain funds to indebtedness for care and maintenance of inmates and patients at State hospitals and charitable institutions, with a favorable report.

H. B. 650, a bill to amend chapter 273 of the Public Laws of 1929, relative to the punishment of makers of worthless checks, so as to place Henderson County under the provisions thereof, with a favorable report.

S. B. 288, a bill amending section 93 of the Consolidated Statutes by placing hospital bills in the second class in the payment of the debts of a decedent, with a favorable report.

H. B. 709, a bill providing for an official court reporter for the Superior Court of Buncombe County, with a favorable report.

H. B. 519, a bill to authorize the Secretary of State to offer for sale the Consolidated Statutes of North Carolina at a reduced price, with a favorable report.

H. B. 561, a bill to repeal chapter 45 of the Public Laws of 1929, "An act to amend article 7 of chapter 71, sections 3903, 3906 and 3908, Consolidated Statutes of North Carolina as to Halifax County," with a favorable report.

S. B. 257, a bill to amend the charter of the town of Wilson, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Aiken: S. B. 289, a bill to amend the charter of the city of Hickory by extending its corporate limits.

Referred to Committee on Counties, Cities and Towns.

By Senator Aiken: S. B. 290, a bill to amend the charter of the city of Hickory by providing for the reassessment of street improvement liens, etc.

Referred to Committee on Counties, Cities and Towns.

By Senator Barker: S. B. 291, a bill to amend chapter 333, Public Laws, 1929, relating to non-resident fur dealers license.

Referred to Committee on Game Laws.

By Senator Grady, by request: S. R. 292, a joint resolution requesting the Senators and Representatives in Congress from the State of North Carolina to secure the enactment of some appropriate measure to provide for delaying the foreclosures on real property and for an extension of time in which to pay all balances.

Referred to Committee on Finance.

By Senator Grady: S. B. 293, a bill relating to the payment of street assessments in the town of Selma.

Referred to Committee on Finance.

By Senator Hinsdale: S. B. 294, a bill to refund to Mrs. James E. Colton the amount overcharged her for automobile license tags.

Referred to Committee on Finance.

By Senator Hinsdale: S. B. 295, a bill to make competent evidence of communicated threats against the defendant on pleas of self defense in cases of assault, assault and battery, and affrays, where deadly weapons are used and serious damage done.

Referred to Committee on Judiciary No. 1.

By Senator Hinsdale: S. B. 296, a bill to provide for the organization, incorporation and operation of cash depositories in the State of North Carolina.

Referred to Committee on Finance.

By Senator Hinsdale: S. B. 297, a bill to amend chapter 241, Public-Local Laws, 1927, relative to the real estate commission exempting Wake County from the provisions thereof.

Referred to Committee on Finance.

By Senator Bland: S. B. 298, a bill to abolish wards in the city of Goldsboro and provide for the nomination and election at large of a mayor and five aldermen for said city.

Referred to Committee on Election Laws.

#### PETITIONS AND MEMORIALS

A memorial of the North Carolina State Grange, the North Carolina Merchants Association and the National Economy League of North Carolina, is presented by Senator Gwyn and referred to the Committee on Finance.

#### ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 114, an act to limit highway work of the State Highway Commission or the Highway Department for the period of two years during the present biennium, and to require that no new construction shall be undertaken during said period.

S. B. 149, an act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River in Henderson County.

H. B. 754, an act to amend House Bill No. 560, which was "an act to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto relative to the recorder's court of Lexington."

H. B. 285, an act to extend the time for payment of street assessments in the town of Elkin.

H. B. 333, an act to extend the time for payment of municipal street assessments in the town of Waynesville.

H. B. 414, an act to validate and authorize the sale of lands for taxes by municipalities in Haywood, Graham, Swain, Jones, Jackson and Cherokee counties.

H. B. 424, an act to extend the time for payment of street assessments in the town of Ahoskie, Hertford County.



H. B. 487, an act to amend chapter 111, Public-Local Laws of 1929, relative to tax collector of Rutherford County.

H. B. 507, an act to authorize, empower and direct the sheriff and/or tax collector of Bladen County to accept county vouchers in payment of taxes.

H. B. 549, an act authorizing the county of Franklin to accept vouchers issued by said county in payment of taxes and other obligations due the county.

H. R. 582, a joint resolution setting aside the week of March 5-11, 1933, as National Business Women's Week.

H. B. 587, an act relating to special assessments levied by the town of Lincolnton.

H. B. 595, an act to place the collection of dog taxes in Pasquotank County under the direct and immediate supervision of the sheriff.

H. B. 604, an act to authorize the commissioners of the town of Winton to appoint an agent or agents for the collection of taxes in said county.

H. B. 631, an act to better protect the revenues and public funds of Cherokee County.

H. B. 659, an act to abolish the office of farm demonstration agent for New Hanover County.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 222, a bill to amend chapter 93 of the 1921 Public Laws, relating to the payment to the clerk of the Superior Court of sums of money, not exceeding \$300.00 due and owing to persons dying intestate, for concurrence in the House amendment.

Placed upon the Calendar.

H. B. 575, a bill regulating the compensation of the public officers of Scotland County.

Upon motion of Senator Blue, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 625, a bill to amend chapter 121, Private Laws, 1931, the same being "an act to incorporate the city of Asheville, to define its corporate limits, to provide for its government, and for other purposes, by amending article 4, section 31, in so far as the same applies to the solicitor of the police court, in so far as the same attempts to define his duties."

Referred to Committee on Counties, Cities and Towns.

H. B. 636, a bill to amend chapter 183 of the Public-Local Laws of 1931, being "an act to create a county sinking fund commission for Madison County and provide the duties thereof, requiring the chairman of the sinking fund commission to give bond and the chairman of the board of county commissioners to sign vouchers."

Upon motion of Senator Greene, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 679, a bill to amend chapter 157 of the Public-Local Laws of 1929, relating to the salaries of the officers of Pamlico County.

Referred to Committee on Salaries and Fees.

H. B. 684, a bill to authorize the commissioners of Haywood County to appoint a tax supervisor and to prescribe his duties and fix his salary.

Referred to Committee on Salaries and Fees.

H. B. 692, a bill to amend chapter 351, Private Laws of 1913, relative to the charter of the town of Dallas, North Carolina, providing for a change in the date of election of mayor and board of aldermen of said town, and providing for an annual audit.

Referred to Committee on Counties, Cities and Towns.

H. B. 675, a bill to amend chapter 34 of Public Laws of 1929, providing for the sterilization of the mentally defective and feeble minded inmates of charitable and penal institutions of the State of North Carolina.

Referred to Committee on Public Health.

H. B. 626, a bill to amend chapter 125, Private Laws, 1931, pertaining to the authority of the governing bodies of the city of Asheville in so far as the same applies to the police and fire department.

Referred to Committee on Judiciary No. 2.

H. B. 695, a bill requiring clerks of the Superior Court to give notice to legatees and devisees.

Referred to Committee on Judiciary No. 1.

H. B. 701, a bill to validate the sale of land for taxes held in Bladen County on the first Monday in October, 1931.

Referred to Committee on Finance.

H. B. 726, a bill relating to payment of township highway bonds in McDowell County.

Referred to Committee on Finance.

S. B. 92, a bill to repeal chapter 157, Public Laws, 1927, chapter 267, Public Laws, 1929, and chapter 457, Public Laws, 1931, and any and all other laws relating to and providing for a tax commission, for concurrence in the House amendment.

Upon motion of Senator Moore, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 747, a bill to amend chapter 35 of the Public Laws of North Carolina, session 1931, relating to certain claims paid by the board of county commissioners of Cherokee County.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. R. 738, a joint resolution to require the commissioner of banks to furnish to the General Assembly the names of attorneys employed by said commission, the nature of their employment, and the total fees paid said attorneys for the years 1931, 1932 and 1933, and the fee contracted to be paid said attorneys.

Referred to Committee on Banks and Banking.

H. B. 723, a bill relating to road district bonds heretofore issued by Swain Road District in Swain County, and township road bonds heretofore issued by Forney's Creek Township in Swain County.

Referred to Committee on Finance.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 237, a bill to authorize the board of school commissioners of Gastonia Graded School District, Gaston County, to issue bonds and to provide for a tax levy for the payment thereof, upon third reading.

The bill passes third reading, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hill, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—44.

The bill is ordered sent to the House of Representatives.

S. B. 242, a bill to amend the charter of the city of Roanoke Rapids in Halifax County, to extend its corporate limits and to provide for its government, and for other purposes, upon third reading.

The bill passes third reading, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hill, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—44.

The bill is ordered sent to the House of Representatives.

S. B. 278, a bill to amend the charter of the city of Winston-Salem being "chapter 232, Private Laws of 1927, and chapter 51, Private Laws of 1931, relating to the city of Winston-Salem," upon third reading.

The bill passes third reading, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hill, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—44.

The bill is ordered sent to the House of Representatives.

H. B. 249, a bill to grant a new charter for the town of Pine Bluff, Moore County, North Carolina, upon third reading.

The bill passes third reading, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hill, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill

of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—44.

The bill is ordered enrolled.

S. B. 287, a bill relating to and providing for extension of time for the payment of taxes and interest charges upon delinquent taxes in Macon County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 180, a bill to allow the counties, municipalities and other governing agencies to refund tax sales certificates, upon third reading.

Senator Hairfield offers an amendment.

Senator Boggan offers an amendment.

Senator Clement offers an amendment.

Senator Hill offers an amendment.

Senator Hinsdale offers an amendment.

Senator Aiken offers an amendment.

Senator Waynick offers an amendment.

Senator Hanes offers an amendment which is adopted.

The amendment offered by Senator Waynick fails of adoption.

The amendment offered by Senator Aiken is adopted.

The amendment offered by Senator Hinsdale fails of adoption.

The amendment offered by Senator Hill is adopted.

The amendment offered by Senator Clement is adopted.

The amendment offered by Senator Boggan fails of adoption.

The amendment offered by Senator Hairfield fails of adoption.

Upon the passage of the bill on its third reading, Senator Blackstock calls for the ayes and noes.

The call is sustained.

The bill passes third reading, ayes 47, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efrd, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—47.

The bill is ordered engrossed.

Upon motion of Senator Ingram, S. B. 238, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue, and to require said patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381, and to transfer the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture, and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors of motor vehicle inspectors, is made a special order for tomorrow.

Upon motion of Senator Patton, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.



## FORTY-NINTH DAY

SENATE CHAMBER,

WEDNESDAY, March 1, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Senator Boggan.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the gallery are extended to the seventh grade of the Trenton School of Jones County.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Joyner, for the Committee on Penal Institutions:

H. B. 432, a bill to enable the Governor of North Carolina to better perform his duties under the Constitution in the matter of reprieves, commutations and pardons, and thereby more expeditiously handle the prison problem and reduce the cost of administration thereof, with a favorable report.

By Senator Rankin, for the Committee on Finance:

H. B. 416, a bill making the register of deeds of Macon County, North Carolina, public accountant for said county, with a favorable report.

H. B. 705, a bill to validate sale of real estate for non-payment of 1931 taxes by Moore County, with an unfavorable report.

H. B. 706, a bill to amend section 1681 of the Consolidated Statutes of North Carolina so as to exempt Moore County from provision for payment for damages done by dogs, with an unfavorable report.

H. B. 691, a bill to amend section 2649 of the Consolidated Statutes of North Carolina so as to make same applicable to the city of Shelby, North Carolina, with a favorable report.

H. B. 686, a bill to amend chapter 80 of the Public-Local Laws of 1931, regarding the office of tax collector of Union County, with a favorable report.

H. B. 572, a bill amending chapter 381 of the Public-Local Laws of North Carolina, session 1923, providing for the appointment of financial agents for the county of Scotland, with a favorable report.

H. B. 620, a bill to permit the commissioners of Graham County to purchase an automobile for use of said county, with a favorable report.

H. B. 728, a bill applying to the collection of taxes in Brunswick County, with a favorable report.

S. B. 177, a bill to provide for the extension of time for the payment of property taxes assessed for the year 1932 and to be assessed for the year of 1933 in Haywood, Jackson, Transylvania, Macon, Swain, Clay, Cherokee, and Graham counties, with an unfavorable report.

S. B. 281, a bill to enable counties to establish district jails, with a favorable report.

By Senator Grady, for the Committee on Judiciary No. 2:

H. B. 591, a bill to validate the official acts of Mrs. Rose McNeill Jones, a notary public, and Mrs. Irene Dimmette Barker, a notary public, both of Wilkes County, with a favorable report.

H. B. 234, a bill to amend chapter 44 of the Public Laws of 1929, relating to the advertisement of judicial foreclosures sales, and to validate sales made thereunder, with a favorable report.

H. B. 669, a bill to amend chapter 168 of the Public-Local Laws, session of 1931, being "an act to create a jury commission for the county of Yancey," with a favorable report.

H. B. 580, a bill to amend chapter 19, Public-Local Laws, 1931, relating to the drawing of jurors in Jackson County, with a favorable report.

H. B. 581, a bill to fix the fees to be collected by the clerk of the Superior Court of Jackson County, with a favorable report.

H. B. 449, a bill to fix fees for recording agricultural liens in Beaufort County, with a favorable report.

S. B. 256, a bill to amend chapter 2 of the Consolidated Statutes of 1919, relating to the adoption of minors, with a favorable report as amended.

S. B. 72, a bill to amend chapter 260, Public Laws, 1931, being "an amendment to section 8037 of the Consolidated Statutes, relating to penalties on delinquent taxes," with an unfavorable report.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 180, a bill to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Long: S. B. 299, a bill to validate judgments under which contingent remainders and executory devises have been partitioned.

Referred to Committee on Judiciary No. 2.

By Senator Corey: S. R. 300, a joint resolution to pay the expenses of the committee from the Senate and the House of Representatives visiting the Caswell Training School, Kinston, North Carolina.

Upon motion of Senator Corey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Fuller: S. B. 301, a bill to permit the county of Robeson and any municipality of Robeson County to accept United States Government Bonds, North Carolina State Bonds and such other obligations of govern-



ing agencies as may be approved by local government commission as securities for deposits in lieu of surety bonds.

Upon motion of Senator Fuller, the bill is placed upon the Calendar.

By Senator Beatty: S. R. 302, a joint resolution requesting Congress to pass an act placing rural free delivery routes on a competitive basis.

Referred to Committee on Federal Relations.

By Senator Francis: S. B. 303, a bill to amend section 5178 of the Consolidated Statutes relative to penalty for non-payment of dues in building and loan associations.

Referred to Committee on Judiciary No. 1.

#### ENROLLED BILLS

Senator Eflrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 92, an act to repeal chapter 157, Public Laws of 1927, chapter 267, Public Laws of 1929, and chapter 457, Public Laws of 1931 and any and all other laws relating to and providing for a tax commission.

H. B. 51, an act to amend section 2314 of the Consolidated Statutes relating to jurors.

H. B. 249, an act to grant a new charter for the town of Pine Bluff, Moore County, North Carolina.

H. B. 575, an act regulating the compensation of the public officers of Scotland County.

H. B. 599, an act to establish a consolidated governing body for the city of Wilmington and the county of New Hanover.

H. B. 636, an act to amend chapter 183 of the Public-Local Laws of 1931, being "An act to create a county sinking fund commission for Madison County and provide the duties thereof, requiring the chairman of the sinking fund commission to give bond and the chairman of the board of county commissioners to sign vouchers."

H. B. 747, an act to amend chapter 35 of the Public Laws of North Carolina, session 1931, relating to certain claims paid by the board of county commissioners of Cherokee County.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

HOUSE OF REPRESENTATIVES,  
MONDAY, February 27, 1933.

*Mr. President:*

In compliance with your request, we are returning for your consideration Senate Bill No. 230, title, "Repeal chapter 99, Public-Local Laws of 1921, relative to manufacture and sale of liquors in Avery, Mitchell and Yancey counties."

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

Upon motion of Senator Greene, the vote by which the bill passed its third reading is reconsidered and the bill placed upon the Calendar.

H. B. 411, a bill requiring the storeroom keeper of Buncombe County to file a report of all disbursements in the office of the clerk of the Superior Court.

Referred to Committee on Salaries and Fees.

H. B. 433, a bill relating to the election of the county superintendent of public welfare in Graham County.

Referred to Committee on Education.

H. B. 586, a bill relating to tax levies for Craven County for the years 1932, 1933, 1934.

Referred to Committee on Finance.

H. B. 598, a bill to provide for the inspection of the watershed area of the municipal water supply of the city of Durham.

Referred to Committee on Public Health.

H. B. 602, a bill to amend section 840, Volume I, Consolidated Statutes, relating to claims of third persons in claim and delivery proceedings.

Referred to Committee on Judiciary No. 1.

H. B. 683, a bill to amend section 3908 of the Consolidated Statutes, relating to fees of sheriffs.

Referred to Committee on Judiciary No. 2.

H. B. 696, a bill to provide for the ditching and repairing of the State canal running from Pungo River to New Lake in Hyde County.

Referred to Committee on Water Commerce.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 222, a bill to amend chapter 93 of the 1921 Public Laws, relating to the payment to the clerk of the Superior Court of sums of money not exceeding \$300.00 due and owing to persons dying intestate, for concurrence in the House amendment.

Upon motion of Senator Summersill, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 230, a bill to repeal chapter 99, of Public-Local Laws of 1921, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey counties.

Senator Greene offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered engrossed.

S. B. 257, a bill to amend the charter of the town of Wilson.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 461, a bill to fix the compensation of the members of the board of county commissioners of Macon County.

Passes its second and third readings and is ordered enrolled.

H. B. 561, a bill to repeal chapter 45 of the Public Laws of 1929, "An act to amend article 7 of chapter 71, sections 3903, 3906 and 3908, Consolidated Statutes of North Carolina as to Halifax County."

Passes its second and third readings and is ordered enrolled.



H. B. 622, a bill to provide for jury trials in the recorder's court of Cleveland County sitting at Kings Mountain.

Passes its second and third readings and is ordered enrolled.

H. B. 649, a bill to repeal chapter 131 of the Public Laws of 1931, and to amend section 2334, Volume III, Consolidated Statutes so as to provide twelve months grand jury in Henderson County.

Passes its second and third readings and is ordered enrolled.

H. B. 650, a bill to amend chapter 273 of the Public Laws of 1929, relative to the punishment of makers of worthless checks so as to place Henderson County under the provisions thereof.

Passes its second and third readings and is ordered enrolled.

S. B. 238, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said Patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors of motor vehicle inspectors.

Senator Bailey moves that action on the bill be deferred and it remain upon the Calendar.

Senator Brown makes a substitute motion that the bill be immediately considered.

The substitute motion prevails.

The amendment offered by Senator Bailey is adopted.

Upon the passage of the bill on its second reading, Senator Summersill calls for the ayes and noes.

The call is sustained.

The following pairs are announced: Senator Boggan, "aye," Senator McNeill of Cumberland, "no," Senator MacLean, "aye," Senator Dunagan, "no." The bill passes second reading, ayes 25, noes 16, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Beatty, Bell, Blackburn, Bland, Blue, Burgin, Clement, Cross, Dempsey, Efird, Greene, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hartsell, Hill, Ingram, Land, McBryde, Moore, Rankin, Summersill—25.

Those voting in the negative are: Senators Aiken, Barker, Brown, Clark, Corey, Fuller, Grady, Hinsdale, Joyner, Long, McDuffee, McNeill of Ashe, Noell, Patton, Walker, Waynick—16.

Senator Aiken objects to the final passage of the bill.

Senator Moore moves that the rules be suspended and the bill be placed upon its third reading.

The motion fails to prevail and the bill remains upon the Calendar.

S. B. 254, a bill to amend the North Carolina Game Law, upon third reading.

Senator McDuffee offers an amendment.

Senator Hill offers an amendment which is adopted.

The amendment offered by Senator McDuffee is adopted.

Senator Land offers an amendment which is adopted.

The bill, as amended, fails to pass its third reading.

S. B. 103, a bill to amend chapter 366, Public Laws of 1931, so as to permit the continued use of 1932 license tags to July 1, 1933, upon payment of semi-annual or quarterly license fees.

Upon motion of Senator Land, the bill is re-referred to the Committee on Finance.

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor.

Upon motion of Senator MacLean, the bill is displaced upon the Calendar and not to be considered until next week.

S. B. 253, a bill requiring vaccination of dogs against rabies.

Senator McNeill of Ashe offers an amendment.

Senator Hill offers an amendment.

Senator Griffin of Franklin offers an amendment which is adopted.

The amendment offered by Senator Hill is adopted.

The amendment offered by Senator McNeill of Ashe is adopted.

Senator Ingram offers an amendment which is adopted.

The bill, as amended, fails to pass its second reading.

S. B. 268, a bill to provide for application of certain funds to indebtedness for care and maintenance of inmates and patients at State hospitals and charitable institutions.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

Upon motion of Senator Patton, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## FIFTIETH DAY

SENATE CHAMBER,

THURSDAY, March 2, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. R. Farris, Hillyer Memorial Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senator Marvin K. Blount.

The courtesies of the gallery are extended to the class of Political Science of Duke University and to the Senior Class of the Middleburg High School.



## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Brown, for the Committee on Water Commerce:

H. B. 696, a bill to provide for the ditching and repairing of the State canal running from Pungo River to New Lake, in Hyde County, with a favorable report.

By Senator Rankin, for the Committee on Finance:

S. B. 293, a bill relating to the payment of street improvement assessments in the town of Selma, with a favorable report.

H. B. 723, a bill relating to road district bonds heretofore issued by Swain Road District in Swain County, and township road bonds heretofore issued by Forney's Creek Township in Swain County, with a favorable report.

H. B. 726, a bill relating to payment of township highway bonds in McDowell County, with a favorable report.

S. R. 292, a joint resolution requesting the Senators and Representatives in Congress from the State of North Carolina to secure the enactment of some appropriate measure to provide for delaying the foreclosures on real property and for an extension of time in which to pay all balances, with an unfavorable report.

H. B. 585, a bill to amend chapter 316, Public-Local Laws of 1929, and chapter 451, Public-Local Laws of 1931, relative to delinquent taxpayers in Craven County and to reenact the same as amended, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

H. B. 217, a bill to repeal sub-section 1037 (e) of section 1 of chapter 455 of the Public Laws of 1931, requiring a certificate of public convenience and necessity before a person or corporation can construct or operate a public utility system or plant in competition with other public utilities and plants, with an unfavorable report.

S. B. 115, a bill to amend chapter 21 of the Consolidated Statutes 1919 to make more effective the regulation of public utilities, with a favorable report as amended.

H. B. 695, a bill requiring clerks of the Superior Court to give notice to legatees and devisees, with a favorable report as amended.

H. B. 602, a bill to amend section 840, Volume I, Consolidated Statutes, relating to claims of third persons in claim and delivery proceedings, with a favorable report as amended.

By Senator Griffin of Chowan, for the Committee on Commercial Fisheries:

H. B. 328, a bill to amend certain sections of article 4, chapter 37, North Carolina Code (Michie's) of 1931, relating to license fees and taxes upon the fishing industry of the State, with a favorable report.

## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 230, a bill to repeal chapter 99 of Public-Local Laws of 1921, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey counties.

S. B. 268, a bill to provide for application of certain funds to indebtedness for care and maintenance of inmates and patients at State Hospitals and charitable institutions.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Corey: S. B. 304, a bill to appoint C. M. Burton and J. W. Joyner as justices of the peace for Pitt County.

Referred to Committee on Justices of the Peace.

By Senator Corey: S. B. 305, a bill to place the names of Mrs. Nannie Little, Mrs. Bettie Moore, Mrs. Talitha Cox and Mrs. Macy Stocks of Pitt County on the Confederate Pension Roll.

Referred to Committee on Pensions.

By Senator Aiken: S. B. 306, a bill to amend sections 6, 7 and 10, chapter 435 of Public-Local Laws of 1913, relating to the fees of officers of Catawba County.

Upon motion of Senator Aiken, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Patton: S. B. 307, a bill to place the name of Mrs. Lush Conley, widow of Lush Conley of Macon County, on the North Carolina Pension Roll.

Referred to Committee on Pensions.

By Senator Burgin: S. B. 308, a bill to amend section 4142, Consolidated Statutes of North Carolina, so as to direct clerk Superior Court of each county to give notice to devisees and legatees under wills offered for probate.

Referred to Committee on Judiciary No. 1.

By Senator Hinsdale: S. B. 309, a bill for the relief of certain citizens of House Creek, Leesville, Barton's Creek and New Light Townships in the County of Wake.

Upon motion of Senator Hinsdale, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Joyner: S. B. 310, a bill increasing the number of commissioners of Northampton County and creating five districts for the nomination of said commissioners.

Upon motion of Senator Joyner, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator McNeill of Cumberland: S. B. 311, a bill to amend section 1013, Consolidated Statutes of North Carolina.

Referred to Committee on Judiciary No. 1.



By Senator Dunagan: S. B. 312, a bill to amend chapter 147, so as to eliminate the requirement of an estimate of uncollected taxes to be of the average of the past preceding three years.

Referred to Committee on Finance.

By Senator Barker: S. B. 313, a bill relating to the fees for registering Federal crop liens and Federal chattel mortgages.

Referred to Committee on Judiciary No. 1.

By Senator Greene, by request: S. B. 314, a bill exempting the Wesley Ellis Post American Legion from paying special or privilege tax to town corporation or Mitchell County for sponsoring picture shows or other forms of entertainment.

Referred to Committee on Finance.

By Senator Greene, by request: S. B. 315, a bill relative to the incorporated boundary line of the town of Bakersville, and to authorize and empower the clerk of the Superior Court of Mitchell County to appoint successors to members of the board of aldermen of said town who may resign.

Referred to Committee on Counties, Cities and Towns.

#### ENROLLED BILLS

Senator Eflrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 222, an act to amend chapter 93, of the 1921 Public Laws, relating to the payment to the clerk of the Superior Court of sums of money, not exceeding \$300.00 due and owing to persons dying intestate.

H. B. 461, an act to fix the compensation of the members of the board of county commissioners of Macon County.

H. B. 561, an act to repeal chapter 45, of the Public Laws of 1929, "An act to amend article 7 of chapter 71, sections 3903, 3906 and 3908 Consolidated Statutes of North Carolina, as to Halifax County."

H. B. 622, an act to provide for jury trials in the recorder's court of Cleveland County sitting at Kings Mountain.

H. B. 649, an act to repeal chapter 131 of the Public Laws of 1931 and to amend section 2334, Volume III, Consolidated Statutes, so as to provide twelve months grand jury in Henderson County.

H. B. 650, an act to amend chapter 273 of the Public Laws of 1929, relative to the punishment of makers of worthless checks so as to place Henderson County under the provisions thereof.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 425, a bill to amend chapter 72, Public Laws of 1931, amending section 1659 of the Consolidated Statutes, relative to grounds for absolute divorce.

Referred to Committee on Judiciary No. 1.

H. B. 466, a bill to allow the tax collector of the town of Brevard to receive bonds or notes of said town in payment of special assessments.

Referred to Committee on Finance.

H. B. 475, a bill to prohibit State institutions from engaging in the retail business.

Referred to Committee on Judiciary No. 2.

H. B. 467, a bill to allow the board of aldermen of the town of Brevard to extend the time for payment of street assessments in said town.

Referred to Committee on Finance.

H. B. 468, a bill to authorize the tax collector of the town of Brevard to receive bonds on notes of said town in payment of debt service portion of current or delinquent taxes.

Referred to Committee on Finance.

H. B. 470, a bill to provide for the payment of municipal street assessments in installments in the town of Enfield.

Referred to Committee on Finance.

H. R. 491, a joint resolution relating to employment of married couples now employed by agencies of State government.

Referred to Committee on Salaries and Fees.

H. B. 525, a bill to amend chapter 97 of the Consolidated Statutes of North Carolina, Volume II, and chapter 164 of the Public Laws of 1929, so as to make the administration of the election laws more economical and more efficient.

Referred to Committee on Election Laws.

H. B. 594, a bill to authorize the board of county commissioners of Pasquotank County the privilege of deferring tax sales in Pasquotank County to the first Monday in December.

Referred to Committee on Finance.

H. B. 609, a bill fixing the fees of the justices of the peace of Caswell County.

Referred to Committee on Salaries and Fees.

H. B. 715, a bill to extend the time for payment of street assessments in the town of Aulander, North Carolina.

Referred to Committee on Finance.

H. B. 743, a bill relating to the salaries of the officers of Vance County.

Referred to Committee on Counties, Cities and Towns.

H. B. 742, a bill to authorize the county commissioners of Vance County to combine the office of county accountant or auditor with the office of register of deeds.

Referred to Committee on Counties, Cities and Towns.

H. B. 746, a bill to abolish the office of treasurer of Lincoln County and to designate a depository for county funds.

Referred to Committee on Finance.

H. B. 761, a bill requiring the board of county commissioners of Rutherford County to pay the premiums on the official bonds of the register of deeds, clerk Superior Court and county treasurer of Rutherford County.

Referred to Committee on Finance.

H. B. 762, a bill to amend the charter of the town of Bessemer City.

Referred to Committee on Counties, Cities and Towns.



S. B. 96, a bill to amend chapter 2, Public Laws of 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission, for concurrence in the House amendment.

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES,

March 2, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conference Committee appointed to adjust the differences arising from Senate Bill No. 85, a bill to be entitled, An act to amend chapter 119, Public Laws of 1929, and chapter 32, Public Laws of 1931, relating to the State Barbers' License Law, to the end if a similar report is adopted by your Body, the bill may be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk.*

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 301, a bill to permit the county of Robeson and any municipality of Robeson County to accept United States Government Bonds, North Carolina State Bonds and such other obligations of governing agencies as may be approved by local government commission as securities for deposits in lieu of surety bonds.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 416, a bill making the register of deeds of Macon County, North Carolina, public accountant for said county.

Passes its second and third readings and is ordered enrolled.

H. B. 449, a bill to fix fees for recording agricultural liens in Beaufort County.

Passes its second and third readings and is ordered enrolled.

H. B. 572, a bill amending chapter 381 of the Public-Local Laws of North Carolina, session 1923, providing for the appointment of financial agents for the county of Scotland.

Passes its second and third readings and is ordered enrolled.

H. B. 580, a bill to amend chapter 19, Public-Local Laws, 1931, relating to the drawing of jurors in Jackson County.

Passes its second and third readings and is ordered enrolled.

H. B. 581, a bill to fix the fees to be collected by the clerk of the Superior Court of Jackson County.

Passes its second and third readings and is ordered enrolled.

H. B. 591, a bill to validate the official acts of Mrs. Rose McNeill Jones, a notary public, and Mrs. Irene Dimmette Barker, a notary public, both of Wilkes County.

Passes its second and third readings and is ordered enrolled.

H. B. 620, a bill to permit the commissioners of Graham County to purchase an automobile for use of said county.

Passes its second and third readings and is ordered enrolled.

H. B. 686, a bill to amend chapter 80 of the Public-Local Laws of 1931, regarding the office of tax collector of Union County.

Passes its second and third readings and is ordered enrolled.

H. B. 691, a bill to amend section 2649 of the Consolidated Statutes of North Carolina so as to make same applicable to the city of Shelby, North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 728, a bill applying to the collection of taxes in Brunswick County. Passes its second and third readings, and is ordered enrolled.

S. B. 96, a bill to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission, for concurrence in the House amendment.

Senator Moore moves that the Senate concur in the House amendment.

Senator Francis offers a substitute motion that the Senate do not concur in the House amendment and asks for a conference thereon.

The substitute motion prevails.

The President appoints as conferees on the part of the Senate, Senators Moore and Clement and a message is ordered sent to the House, informing that body of such action.

S. B. 238, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said Patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381, and to transfer the illuminating oil, gas and lubricating oil, inspection division, to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors of motor vehicle inspectors, upon third reading.

Senator Brown moves that action on the bill be deferred and the bill placed on the Calendar for Tuesday, March 7.

Senator Ingram makes a substitute motion that the bill be immediately considered.

The substitute motion fails to prevail.

The motion of Senator Brown prevails.

S. B. 256, a bill to amend chapter 2 of the Consolidated Statutes of 1919, relating to the adoption of minors.

Senator MacLean offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 281, a bill to enable counties to establish district jails.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 288, a bill amending section 93 of the Consolidated Statutes by placing hospital bills in the second class in the payment of the debts of a decedent.

Senator Hartsell offers an amendment.



Senator Ingram offers an amendment which fails of adoption.

The amendment offered by Senator Hartsell is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 234, a bill to amend chapter 44 of the Public Laws of 1929, relating to the advertisement of judicial foreclosure sales and to validate sales made thereunder.

Passes its second and third readings and is ordered enrolled.

H. B. 253, a bill for the relief of sheriffs and tax collectors.

Passes its second and third readings and is ordered enrolled.

H. B. 297, a bill to provide for the apprehension and return of persons escaping from penal and correctional institutions of the State.

Passes its second reading and upon objection of Senator Clement to its final passage, the bill remains upon the Calendar.

H. B. 300, a bill to amend section 765 of the Consolidated Statutes of North Carolina of 1919, allowing the clerk of the Superior Court to force commissioners appointed by said clerk of the Superior Court in all actions or special proceedings to file a final account of receipts and disbursements on account of the sale of the real or personal property sold by said commissioner or commissioners.

Passes its second and third readings and is ordered enrolled.

H. B. 305, a bill to validate the acts of notaries public who were holding other offices at the time acknowledgments were taken.

The bill fails to pass its second reading.

H. B. 331, a bill to prevent deception in the storing, selling or offering for sale any liquid fuels, lubricating oils, greases or other similar products; to prohibit the sale of such products from any container, tank, pump or other distributing device other than those of the manufacturer or distributor indicated by the name, trademark, symbol, sign or other distinguishing mark appearing upon said tank, pump or other container; to prohibit the imitation, design, symbol, color scheme, trade building or equipment of any marketer of liquid fuels; and for other purposes.

Passes its second reading and upon objection of Senator Blackstock to its final passage, the bill remains upon the Calendar.

H. B. 301, a bill to amend section 106 of the Consolidated Statutes of North Carolina, relating to service of process issued under said action.

Passes its second and third readings and is ordered enrolled.

H. B. 302, a bill to amend section 49 of the Consolidated Statutes of North Carolina, relating to service of process issued under said section.

Passes its second and third readings and is ordered enrolled.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message is received from the House of Representatives, as follows:

HOUSE OF REPRESENTATIVES,  
March 2, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body requesting the return of House Bill No. 425, a bill to be entitled, "An act to amend chapter

72, Public Laws of 1931, amending section 1699, Consolidated Statutes, relative to grounds for absolute divorce," for further consideration by the House.

Respectfully,

THAD EURE,  
*Clerk of the House.*

Upon motion of Senator Francis, the bill is ordered returned to the House of Representatives.

Senator Hinsdale announces that a delegation of distinguished guests from the west coast are visiting in the city and moves that a committee be appointed to invite and escort them into the Senate.

The motion prevails and the President appoints Senators Hinsdale and Clark as a committee who proceed to escort the visitors into the Senate Chamber where they are received and introduced to the Senate. Mr. John E. Stahley, one of the visitors, and ex-chairman of the Democratic Executive Committee of California, expresses for the party the appreciation of the courtesies extended them by the Senate.

Upon motion of Senator Efrid, H. B. 499, a bill to amend and rewrite section 6108 of the Consolidated Statutes, relating to the enrollment of acts of the General Assembly and the employment of necessary assistance for that purpose, is taken from the Committee on Railroads and referred to the Committee on Salaries and Fees.

Senator Land gives notice that he will tomorrow lodge a motion to reconsider the vote by which H. B. 253, a bill for the relief of sheriffs and tax collectors, passed its third reading.

#### CONFERENCE REPORT

Senator Aiken submits a report of the conferees appointed to consider the differences arising upon S. B. 85, a bill to amend chapter 119, Public Laws, 1929 and chapter 32, Public Laws, 1931, relating to State Barbers' License Law, as follows:

*To the President of the Senate and Speaker of the House of Representatives:*

The undersigned Conference Committee appointed on the part of the Senate and House to consider an amendment by the House to Senate Bill No. 85, having met, in accordance with said appointments, hereby make the following unanimous report:

(1) We recommend the House recede from its amendment in the following respect:

That the counties of Catawba and Wayne be stricken therefrom.

D. H. BLAND,  
JOHN W. AIKEN,  
*Conferees on the part of the Senate.*

P. C. FRONEBERGER,  
H. L. ARNDT,  
T. C. HOYLE, JR.,  
*Conferees on the part of the House  
of Representatives.*



Upon motion of Senator Aiken, the Senate adopts the conference report and a message having been received from the House of Representatives that that Body has taken similar action, the bill is ordered enrolled.

Upon motion of Senator Burgin, the Senate adjourns in honor of the memory of Hon. Thomas J. Walsh, United States Senator, and appointee to the Cabinet of President-elect Franklin D. Roosevelt, to meet tomorrow at 11:00 o'clock a.m.

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### FIFTY-FIRST DAY

SENATE CHAMBER,  
FRIDAY, March 3, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Forrest Feezor, Tabernacle Baptist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senators Judge Allen, McGougan, Van Buren Journey, Hugh Dortch, John D. Bellamy.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator MacLean, for the Committee on Education:

S. B. 263, a bill relating to the appropriation and anticipation of school maintenance and other funds in the city of Burlington, with a favorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

S. B. 315, a bill relative to the incorporated boundary line of the town of Bakersville, and to authorize and empower the clerk of the Superior Court of Mitchell County to appoint successors to members of the board of aldermen of said town who may resign, with a favorable report.

H. B. 146, a bill to abolish the office of tax collector and the recorder's court for Alexander County and to fix the compensation of the county officers of said county, with an unfavorable report.

H. B. 326, a bill to repeal chapter 396 of Public-Local Laws of 1931, relating to place of meeting of board of education in Currituck County, with a favorable report.

H. B. 346, a bill to repeal chapter 425 of the Public-Local Laws of 1931, relative to the boundary line between the county of Ashe and the county of Wilkes, with a favorable report.

H. B. 426, a bill to authorize the county commissioners of Greene County to employ some person to administer hog cholera serum in Greene County, with a favorable report.

H. B. 504, a bill to amend chapter 119 of the Private Laws of 1927, and to change the corporate boundaries of the town of Windsor, in Bertie County, with a favorable report.

H. B. 511, a bill to repeal a portion of chapter 15, section "P" of the license schedule of the Private Laws of 1923, and to remove a discrimination against certain licenses operating in Elizabeth City and to place them upon the same basis as similar licenses operating in other parts of North Carolina, with a favorable report.

H. B. 531, a bill to authorize and empower the town of East Flat Rock, Henderson County, to sell its delinquent tax list for the year 1930, with a favorable report.

H. B. 535, a bill to amend chapter 66 of the Private Laws of 1931 relating to the powers of the board of commissioners of the town of East Flat Rock in Henderson County, with an unfavorable report.

H. B. 577, a bill to amend chapter 128 of the Private Laws of 1931 relating to the Tribal Council of the Eastern Band of Cherokee Indians, with a favorable report.

H. B. 593, a bill providing for the appointment of a special deputy sheriff for the village of Caraleigh, Raleigh Township, with a favorable report.

H. B. 608, a bill to appoint trustees for the Cooper Burial Ground in Caswell County, with a favorable report.

H. B. 623, a bill to amend chapter 489, Public-Local Laws, 1929, exempting Cleveland County from the real estate commission law, with a favorable report.

H. B. 671, a bill to amend section 1 of chapter 2, Private Laws, 1931, relating to the election of cotton weigher for Marshville, Union County, with a favorable report.

H. B. 685, a bill to amend chapter 378 of the Public-Local Laws of 1931, relating to appointment of deputy sheriffs in Union County, with a favorable report.

H. B. 690, a bill to amend chapter 194 of the Private Laws of North Carolina, session 1901, so as to fix the date on which the officers of the city of Shelby will take their office, with a favorable report.

H. B. 692, a bill to amend chapter 351, Private Laws of 1913, relative to the charter of the town of Dallas, North Carolina, providing for a change in the date of election of mayor and board of aldermen of said town and providing for an annual audit, with a favorable report.

By Senator Grady, for the Committee on Judiciary No. 2.

S. B. 258, a bill to amend chapter 6 of the Consolidated Statutes of North Carolina on bastardy, with a favorable report as amended.

H. B. 410, a bill to amend chapter 242, Public Laws, 1925, relating to removal of causes from the general county court, with a favorable report.

H. B. 545, a bill to prevent the challenging of jurors who have not paid the taxes assessed against them during the preceding two years, with a favorable report.



H. B. 409, a bill to amend section 24 (d) of section 2, chapter 85, Public Laws of 1924, same being "An act to relieve congestion in court docket and provide for the speedy trial of cases," with a favorable report.

S. B. 286, a bill to repeal chapter 177, Public-Local Laws of 1931, creating a jury and tax commission for Madison County, with a favorable report.

Senator Greene moves that the rules be suspended and the bill placed upon its immediate readings.

Senator Patton makes a substitute motion that the bill be re-referred to the Committee on Judiciary No. 2.

The substitute motion fails to prevail.

The motion of Senator Greene fails to prevail.

Upon motion of Senator Greene the bill is placed upon the Calendar for Wednesday, March 8.

H. B. 683, a bill to amend section 3908 of the Consolidated Statutes, relating to fees of sheriffs, with a favorable report.

H. B. 603, a bill to amend section 444 of the Consolidated Statutes fixing the time within which an action may be brought to recover from a party purchasing crop on which there is a lien, with an unfavorable report.

H. B. 475, a bill to prohibit State institutions from engaging in the retail business, with an unfavorable report.

By Senator Walker, for the Committee on Election Laws:

S. B. 298, a bill to abolish wards in the city of Goldsboro and provide for nomination and election at large of a mayor and five aldermen for said city, with a favorable report.

By Senator Blackstock, for the Committee on Salaries and Fees:

S. B. 274, a bill amending chapter 28 of the Public Laws of North Carolina, extra session, 1924, regulating the compensation of the members of the grand jury of Scotland County, with a favorable report.

H. B. 613, a bill to fix and determine the salary or compensation of the sheriff of Alleghany County and other officers thereof, with a favorable report.

H. B. 233, a bill to amend chapter 53 of the Public Laws of 1931, relating to the fees of the clerk of the court of Mitchell County and the salary of the sheriff and treasurer-tax collector of said county, with a favorable report as amended.

H. B. 447, a bill to fix the salary of the recorder of the recorder's court of Camden County, with a favorable report.

H. B. 533, a bill relating to the compensation of the register of deeds of Yancey County, with a favorable report.

H. B. 486, a bill to repeal chapter 109, Public-Local Laws, 1929, relating to salaries of county officers of Rutherford County, and fixing salaries of clerk Superior Court, register of deeds and treasurer of said county, with a favorable report.

H. B. 615, a bill to limit the pay of jurors in Pasquotank County, with a favorable report.

H. B. 536, a bill fixing the salaries of the sheriff, clerk of the Superior Court and register of deeds of Granville County, with an unfavorable report.

By Senator Rankin, for the Committee on Finance:

H. B. 746, a bill to abolish the office of treasurer of Lincoln County and to designate a depository for county funds, with a favorable report.

H. B. 761, a bill requiring the board of county commissioners of Rutherford County to pay the premiums on the official bonds of the register of deeds, clerk of Superior Court and county treasurer of Rutherford County, with a favorable report.

S. B. 312, a bill to amend chapter 147 so as to eliminate the requirement of an estimate of uncollected taxes to be of the average of the past preceding three years, with a favorable report.

S. B. 294, a bill to refund to Mrs. James E. Colton the amount overcharged her for automobile license tags, with a favorable report.

H. B. 380, a bill to shorten time for payment of gasoline tax, to regulate transportation by trucks and boats, provide for regular audit of accounts and to further safeguard payment and prevent evasion, with a favorable report as amended.

H. B. 389, a bill to amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes, with a favorable report, as amended.

H. B. 431, a bill to amend section 2688 of the Consolidated Statutes, relating to the sale of municipal property, with an unfavorable report.

By Senator McNeill of Ashe, for the Committee on Corporations:

H. B. 304, a bill relative to reorganization of corporations whose charters have been forfeited, with a favorable report.

By Senator Aiken, for the Committee on Courts and Judicial Districts:

H. B. 694, a bill relating to the municipal county court of Lenoir County, with a favorable report.

H. B. 351, a bill to amend section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Swain County, with a favorable report.

H. B. 573, a bill regulating the jurisdiction of the Superior Courts of Scotland County, with a favorable report.

H. B. 514, a bill to amend chapter 167 Public Laws, 1929, relating to the courts of Pasquotank County, with a favorable report.

H. B. 330, a bill to amend section 1443 of Volume III of the Consolidated Statutes, relating to the courts in Jackson County, with a favorable report.

H. B. 648, a bill to amend chapter 207 of the Public Laws of 1927, relative to the Superior Courts of Henderson County, with a favorable report.

H. B. 287, a bill to amend chapter 115 of the Public-Local Laws of 1913, entitled "An act to establish a criminal court to be called 'A Criminal Court for the County of Scotland,'" with a favorable report.

H. B. 383, a bill to amend section 1443 of Volume III of the Consolidated Statutes as amended, relating to terms of court in Tyrrell County, with a favorable report.

H. B. 293, a bill to amend the law relating to the recorder's court for the county of Brunswick, with a favorable report.

H. B. 430, a bill to amend section 1443, Volume III, Consolidated Statutes, relating to terms of court in Union County, with a favorable report.



## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 256, a bill to amend chapter 2 of Consolidated Statutes of 1919, relating to the adoption of minors.

S. B. 288, a bill amending section 93 of the Consolidated Statutes by placing hospital bills in the second class in the payment of the debts of a decedent.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Francis: S. B. 316, a bill to amend S. B. 11, ratified January 17, 1933, it being "An act to repeal chapter 212, Public-Local Laws, 1929, abolishing the office of tax collector in Haywood County and providing for the collection of the taxes in said county."

Upon motion of Senator Francis, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Fuller: S. B. 317, a bill to amend chapter 279, Public Laws, 1931, the same being "An act to provide for the regulation of Workmen's Compensation Insurance rates."

Referred to Committee on Insurance.

By Senator Bland: S. B. 318, a bill to improve the sanitary conditions of the manufacture of bedding.

Referred to Committee on Public Health.

By Senator Bland: S. B. 319, a bill to authorize Wayne County to assume certain school building and equipment bonds of school districts in said county.

Referred to Committee on Finance.

By Senator MacLean: S. B. 320, a bill to call a convention of the people of North Carolina for the purpose of considering the proposed amendment to the constitution of the United States, relating to the Eighteenth Amendment.

Referred to Committee on Constitutional Amendments.

By Senator MacLean: S. B. 321, a bill to validate process and proceedings by L. S. Thompson, a justice of the peace of Beaufort County from August 1, 1930, to January 15, 1933.

Upon motion of Senator MacLean, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Walker: S. B. 322, a bill to relieve the blind citizens of the State by exempting their homes from taxation.

Referred to Committee on Finance.

By Senator Waynick: S. R. 323, a resolution petitioning that Federal Legislation be enacted by the Congress of the United States to the end that

unemployment be reduced through adoption of the short hour day and of the short day week in industry.

Referred to Committee on Public Welfare.

By Senators Francis and McDuffee: S. B. 324, a bill to amend section 2285 of the Consolidated Statutes of North Carolina, relating to process and jury service issued and under said section.

Referred to Committee on Judiciary No. 1.

By Senator Greene: S. B. 325, a bill to repeal chapter 123, Public-Local Laws, 1921, and chapter 28, Public-Local Laws, 1929, relating to fees of sheriff for capturing illicit distilleries in Mitchell County.

Upon motion of Senator Greene, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Summersill: S. B. 326, a bill to amend section 730 of the Consolidated Statutes and chapter 58 of the Public Laws of 1931, permitting deputy sheriffs of Onslow County to lay off homesteads.

Upon motion of Senator Summersill, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 498, a bill to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust.

Referred to Committee on Judiciary No. 1.

H. B. 619, a bill to provide for an election on what shall constitute a lawful fence in Graham County.

Referred to Committee on Propositions and Grievances.

H. B. 674, a bill to amend section 6300 of the Consolidated Statutes, relating to the right of appeal of agent when license has been withdrawn by Commissioner of Insurance.

Referred to Committee on Insurance.

H. B. 793, a bill to provide for a closed season for six years for hunting game in Alexander County.

Referred to Committee on Game Laws.

H. B. 796, a bill to permit the commissioners of the town of East Bend or the trustees of the East Bend Baptist Church, Yadkin County, to remove bodies to the Benbow Chapel Colored Cemetery.

Referred to Committee on Propositions and Grievances.

H. B. 805, a bill to provide for the regulation of peddlers in the city of Charlotte, North Carolina.

Referred to Committee on Propositions and Grievances.

H. B. 779, a bill to amend chapter 90 of the Public Laws of 1921, providing for the speedy trial of summary actions in ejectment relating to Cabarrus County.



Referred to Committee on Judiciary No. 2.

H. B. 806, a bill to protect depositors in banking corporations of the State of North Carolina and to conserve the assets of such institutions.

Upon motion of Senator Hill, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 85, an act to amend chapter 119, Public Laws, 1929, and chapter 32, Public Laws, 1931, relating to State Barbers' License Law.

S. B. 233, an act to amend chapter 46, Private Laws, 1915, relating to the election of a mayor and commissioners of the town of Smithfield, Johnston County.

H. B. 234, an act to amend chapter 44 of the Public Laws of 1929, relating to the advertisement of judicial foreclosure sales, and to validate sales made thereunder.

H. B. 253, an act for the relief of sheriffs and tax collectors.

H. B. 300, an act to amend section 765 of the Consolidated Statutes of North Carolina of 1919, allowing the clerk of the Superior Court to force commissioners appointed by said clerk of the Superior Court, in all actions or special proceedings to file a final account of receipts and disbursements on account of the sale of the real or personal property sold by said commissioner or commissioners.

H. B. 301, an act to amend section 106 of the Consolidated Statutes of North Carolina, relating to the service of process issued under said action.

H. B. 302, an act to amend section 49 of the Consolidated Statutes of North Carolina, relating to service of process issued under said section.

H. B. 416, an act making the register of deeds of Macon County, North Carolina, public accountant for said county.

H. B. 449, an act for the adoption of a standard form of agricultural lien and title note and fixing the fees for recording same in Beaufort County.

H. B. 572, an act amending chapter 381 of the Public-Local Laws of North Carolina, session 1923, providing for the appointment of financial agents for the county of Scotland.

H. B. 580, an act to amend chapter 19, Public-Local Laws, 1931, relating to the drawing of jurors in Jackson County.

H. B. 581, an act to fix the fees to be collected by the clerk of the Superior Court of Jackson County.

H. B. 591, an act to validate the official acts of Mrs. Rose McNeill Jones, a notary public, and Mrs. Irene Dimmette Barker, a notary public, both of Wilkes County.

H. B. 620, an act to permit the commissioners of Graham County to purchase an automobile for use of said county.

H. B. 686, an act to amend chapter 80 of the Public-Local Laws of 1931, regarding the office of tax collector of Union County.

H. B. 691, an act to amend section 2649 of the Consolidated Statutes of North Carolina so as to make same applicable to the city of Shelby, North Carolina.

H. B. 728, an act applying to the collection of taxes in Brunswick County.

H. B. 806, an act to protect depositors in banking corporations of the State of North Carolina and to conserve the assets of such institutions.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 263, a bill relating to appropriation and anticipation of school maintenance and other funds in the city of Burlington, upon second reading.

The bill passes second reading, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Greene, Griffin of Franklin, Hanes, Hartsell, Hill, Joyner, Land, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—38.

S. B. 293, a bill relating to the payment of street improvement assessments in the town of Selma.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 585, a bill to amend chapter 316, Public-Local Laws of 1929, and chapter 451, Public Laws of 1931, relative to delinquent taxpayers in Craven County and to reenact the same as amended.

Passes its second and third readings and is ordered enrolled.

H. B. 669, a bill to amend chapter 168 of the Public-Local Laws, session of 1931, being "An act to create a jury commission for the County of Yancey."

Passes its second and third readings and is ordered enrolled.

H. B. 723, a bill relating to road district bonds heretofore issued by Swain Road District in Swain County and Township Road Bonds heretofore issued by Forney's Creek Township in Swain County.

Passes its second and third readings and is ordered enrolled.

H. B. 726, a bill relating to payment of township highway bonds in McDowell County.

Passes its second and third readings and is ordered enrolled.

H. B. 331, a bill to prevent deception in the storing, selling or offering for sale any liquid fuels, lubricating oils, greases or other similar products; to prohibit the sale of such products from any container, tank, pump or other distributing device other than those of the manufacturer or distributor indicated by the name, trademark, symbol, sign or other distinguishing mark appearing upon said tank, pump or other container; to prohibit the imitation design, symbol, color scheme, trade name, trademark or markings on any building or equipment of any marketer of liquid fuels; and for other purposes, upon third reading.

Passes its third reading and is ordered enrolled.



H. B. 297, a bill to provide for the apprehension and return of persons escaping from penal and correctional institutions of the State, upon third reading.

Passes its third reading and is ordered enrolled.

H. B. 84, a bill to amend section 1 of chapter 336, Public Laws, 1931, providing for the reduction of license fees on automobiles.

Upon motion of Senator Rankin, action on the bill is deferred until Friday, March 10.

S. B. 115, a bill to amend chapter 21 of the Consolidated Statutes, 1919, to make more effective the regulation of public utilities.

The amendments offered by the Committee are adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 328, a bill to amend certain sections of article 4, chapter 37, North Carolina Code (Michie's) of 1931, relating to license fees and taxes upon the fishing industry of the State.

Passes its second and third readings and is ordered enrolled.

H. B. 408, a bill to amend section 1608 (cc) of the Consolidated Statutes, regulating appeals from the general county court to the Superior Court.

Passes its second and third readings and is ordered enrolled.

H. B. 432, a bill to enable the Governor of North Carolina to better perform his duties under the Constitution in the matter of reprieves, commutations and pardons, and thereby more expeditiously handle the prison problem and reduce the cost of administration thereof.

Passes its second reading.

Senator Fuller objects to the final passage of the bill.

Senator Aiken moves that the rules be suspended and the bill be placed upon its third reading.

The motion prevails.

Upon the passage of the bill on its third reading, Senator Griffin of Franklin calls for the ayes and noes.

The call is not sustained.

The bill passes its third reading and is ordered enrolled.

H. B. 412, a bill to amend section 4149 of the Consolidated Statutes of North Carolina, relating to the probate of wills.

Passes its second and third readings and is ordered enrolled.

H. B. 451, a bill to amend section 2808, Consolidated Statutes of North Carolina, relating to collection of water rents.

Passes its second reading and upon objection by Senator Waynick to its final passage, the bill remains upon the Calendar.

H. B. 439, a bill to amend chapter 281 of the Public Laws of 1931 so as to prevent clerk of the Superior Court from loaning trust funds.

Passes its second and third readings and is ordered enrolled.

H. B. 485, a bill to amend chapter 442, Public-Local Laws of 1931, relative to issuance and filing of pleadings in claim and delivery actions.

Passes its second and third readings and is ordered enrolled.

H. B. 519, a bill to authorize the Secretary of State to offer for sale the Consolidated Statutes of North Carolina at a reduced price.

Passes its second and third readings and is ordered enrolled.

H. R. 523, a joint resolution of the General Assembly of North Carolina approving the purposes of the century of progress exposition to be held at Chicago from June 1 to November, 1933, and to authorize the participation of the State of North Carolina therein and to call upon the people of the State for moral and financial coöperation.

Passes its second and third readings and is ordered enrolled.

H. R. 524, a joint resolution commending Congressman E. W. Pou for his patriotic speech advocating plenary power be given President-elect Roosevelt to reduce governmental costs.

Passes its second and third readings and is ordered enrolled.

H. B. 553, a bill to amend section 205 of the Consolidated Statutes, relating to disbarment of attorneys at law.

Upon motion of Senator Bailey, action on the bill is deferred until the time the bill for incorporating the Bar is taken up for consideration.

H. R. 492, a joint resolution of the General Assembly of North Carolina, providing for a report by the head of each and every department of the State of North Carolina, reporting the names and amounts of compensation received by any employee of said departments from the Federal Government.

Upon motion of Senator Dempsey, the bill is re-referred to the Committee on Salaries and Fees.

H. B. 500, a bill to amend section 160 of Consolidated Statutes, relating to payment of burial expenses from assets derived from wrongful act.

Passes its second and third readings and is ordered enrolled.

H. B. 602, a bill to amend section 840, Volume I, Consolidated Statutes, relating to claims of third persons in claim and delivery proceedings.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 695, a bill requiring clerks of the Superior Court to give notice to legatees and devisees.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 696, a bill to provide for the ditching and repairing of the State Canal running from Pungo River to New Lake in Hyde County.

Senator Land moves that action on the bill be deferred.

The motion fails to prevail.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Walker, the Senate adjourns to meet tomorrow at 10:00 o'clock a.m., at which time only public-local bills are to be considered.



## FIFTY-SECOND DAY

SENATE CHAMBER,

SATURDAY, March 4, 1933.

The Senate meets pursuant to adjournment and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. R. W. Bradshaw of Jenkins Memorial Church, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

HOUSE OF REPRESENTATIVES,

FRIDAY, March 3, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House, pursuant to your information as to non-concurrence in House Amendments to S. B. 96, title, "to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto and chapter 130 of Consolidated Statutes, consolidating State Prison Department and State Highway Commission into a single Department to be known as the Highway and Prison Commission, has appointed as conferees on the part of the House, Messrs. Brawley, Cherry and O'Berry.

Respectfully,

THAD EURE,

*Clerk of the House.*

H. B. 672, a bill for the relief of W. C. Rape.

Upon motion of Senator Boggan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 787, a bill to repeal chapter 147 of the Public-Local Laws of 1931 and establishing the office of tax collector and redefining the duties of the sheriff of Polk County and fixing his salary.

Referred to Committee on Salaries and Fees.

H. B. 813, a bill to provide for stay of execution in cases where motion for new trial is made after affirmance of conviction by the Supreme Court.

Referred to Committee on Judiciary No. 1.

H. B. 221, a bill to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment.

Referred to Committee on Judiciary No. 1.

H. B. 390, a bill to exempt Davie County from the provisions of chapter 119, Public Laws of 1929 and all amendments thereto, regulating the practice of barbering in North Carolina.

Referred to Committee on Public Health.

H. B. 543, a bill to authorize and empower the board of county commissioners of Graham County to purchase the Graham County Bank Building and take over all other real estate and assets of said bank, collect same and apply the proceeds thereof to the indebtedness due by Graham County Bank to Graham County.

Referred to Committee on Finance.

H. B. 544, a bill to repeal the absentee ballot law for Yadkin County, North Carolina.

Referred to Committee on Election Laws.

H. B. 654, a bill to amend H. B. 190 being "An act to repeal the absentee ballot law for Yancey County so as to add Clay County to its provisions."

Referred to Committee on Election Laws.

H. B. 767, a bill to exempt Hertford, Bertie and Hyde counties from the provisions of section 2532 of the Consolidated Statutes, regulating tolls by public millers.

Referred to Committee on Agriculture.

H. B. 817, a bill to allow the commissioners of Union County to extend time of paying 1932 taxes by citizens of Morven where crops were destroyed by hail.

Upon motion of Senator Boggan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 818, a bill authorizing the board of commissioners of Bladen County to continue terms of court.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 274, a bill amending chapter 28 of the Public Laws of North Carolina, extra session, 1924, regulating the compensation of the members of the grand jury of Scotland County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 298, a bill to abolish wards in the city of Goldsboro and provide for the nomination and election at large of a mayor and five aldermen for said city.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 287, a bill to amend chapter 115 of the Public-Local Laws of 1913, entitled "An act to establish a criminal court to be called a criminal court for the county of Scotland."

Passes its second and third readings and is ordered enrolled.



H. B. 293, a bill to amend the law relating to the recorder's court for the county of Brunswick.

Passes its second and third readings and is ordered enrolled.

H. B. 330, a bill to amend section 1443 of Volume III of the Consolidated Statutes, relating to the courts in Jackson County.

Passes its second and third readings and is ordered enrolled.

H. B. 430, a bill to amend section 1443, Volume III, Consolidated Statutes, relating to terms of court in Union County.

Passes its second and third readings and is ordered enrolled.

H. B. 531, a bill to authorize and empower the town of East Flat Rock, Henderson County, to sell its delinquent tax list for the year 1930.

Passes its second and third readings and is ordered enrolled.

H. B. 573, a bill regulating the jurisdiction of the Superior Courts of Scotland County.

Passes its second and third readings and is ordered enrolled.

H. B. 577, a bill to amend chapter 128 of the Private Laws of 1931, relating to the tribal council of the Eastern Band of Cherokee Indians.

Passes its second and third readings and is ordered enrolled.

H. B. 593, a bill providing for the appointment of a special deputy sheriff for the village of Caraleigh, Raleigh Township.

Passes its second and third readings and is ordered enrolled.

H. B. 648, a bill to amend chapter 207 of the Public Laws of 1927, relative to the Superior Courts of Henderson County.

Passes its second and third readings and is ordered enrolled.

H. B. 671, a bill to amend section 1 of chapter 2, Private Laws, 1931, relating to the election of cotton weigher for Marshville, Union County.

Passes its second and third readings and is ordered enrolled.

H. B. 685, a bill to amend chapter 378 of the Public-Local Laws of 1931, relating to the appointment of deputy sheriffs in Union County.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Hinsdale, the Senate adjourns to meet at 8:00 o'clock, Monday night.

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### FIFTY-THIRD DAY

SENATE CHAMBER,

MONDAY, March 6, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. R. Farris, Hillyer Memorial Christian Church, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Clark: S. B. 327, a bill to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction.

Referred to Committee on Agriculture.

By Senator Aiken: S. B. 328, a bill to appoint the county accountant of Catawba County as tax collector.

Upon motion of Senator Aiken, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senators Hill, Rankin, Clement and Hanes: S. B. 329, a bill to provide for banking holidays and to conserve and protect the assets and resources of banking corporations.

Upon motion of Senator Hill, the rules are suspended and the bill is placed upon its immediate readings.

Senator Moore offers an amendment.

Senator Hinsdale offers an amendment.

Senator Francis offers an amendment.

Senator MacLean offers an amendment.

Senator MacLean offers a second amendment which is adopted.

The first amendment offered by Senator MacLean is adopted.

The amendment offered by Senator Francis fails of adoption.

The amendment offered by Senator Hinsdale is withdrawn.

Upon the adoption of the amendment offered by him, Senator Moore calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 6, noes 40, as follows:

Those voting in the affirmative are: Senators Cross, Efrid, Hinsdale, McBryde, Moore, Waynick—6.

Those voting in the negative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Dempsey, Dunagan, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Land, Long, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Walker—40.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Hartsell: S. B. 330, a bill relating to the payment of withdrawals and matured stock in building and loan associations.

Upon motion of Senator Aiken, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Grady: S. B. 331, a bill to provide for the revaluation of all property in North Carolina of 1933.

Referred to Committee on Finance.



By Senator Ingram: S. B. 332, a bill to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes.

Referred to Committee on Finance.

By Senator Waynick: S. B. 333, a bill to amend the preamble and the several sections of the Constitution of North Carolina.

The bill is placed upon the Calendar.

By Senator Burgin: S. B. 334, a bill to amend chapter 647 of the Public-Local Laws of 1911 relating to the recorder's court of Thomasville.

Referred to Committee on Judiciary No. 2.

By Senator Patton: S. B. 335, a bill for the relief of the Bank of Franklin and its depositors.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 823, a bill to confer emergency powers upon the insurance commissioner.

Upon motion of Senator Hanes, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 438, a bill to provide for the mortgage or sale of estates held by the entireties where the wife or the husband or both may become mentally incompetent.

Referred to Judiciary No. 1.

H. B. 473, a bill to regulate the departmental service, office hours, leaves of absence and extra compensation.

Referred to Committees on Salaries and Fees.

H. B. 722, a bill to amend section 1443, Volume III of the Consolidated Statutes, relating to the courts in Avery County.

Referred to Committee on Courts and Judicial Districts.

H. B. 783, a bill to provide for the redemption of real estate purchased by Hertford, Hyde or Bertie County and towns therein at tax sales and to provide an extension of time within which to pay delinquent taxes, (applicable also to Gates, Pasquotank and Chowan counties).

Referred to Committee on Finance.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 210, an act to confer civil jurisdiction upon the county recorder's court of Watauga County.

S. B. 227, an act to repeal the absentee ballot law for Mitchell County.

S. B. 316, an act to amend Senate Bill 11, ratified January 17, 1933, it being "An act to repeal chapter 212, Public-Local Laws, 1929, abolishing the office of tax collector in Haywood County and providing for the collection of the taxes in said county."

S. B. 271, an act for the relief of delinquent taxpayers of the town of Mount Airy, in Surry County, and to provide for deferring foreclosure actions on sales of property heretofore made for non-payment of taxes, etc.

H. B. 287, an act to amend chapter 115 of the Public-Local Laws of 1913, entitled "An act to establish a criminal court to be called a criminal court for the county of Scotland."

H. B. 293, an act to amend the law relating to the recorder's court for the county of Brunswick.

H. B. 297, an act to provide for the apprehension and return of persons escaping from penal and correctional institutions of the State.

H. B. 328, an act to amend certain sections of article 4, chapter 37 of the Consolidated Statutes of North Carolina, relating to license fees and taxes upon the fishing industry of the State.

H. B. 330, an act to amend section 1443 of Volume III of the Consolidated Statutes, relating to the courts in Jackson County.

H. B. 331, an act to prevent deception in the storing, selling or offering for sale any liquid fuels, lubricating oils, greases or other similar products; to prohibit the sale of such products from any container, tank, pump or other distributing device other than those of the manufacturer or distributor indicated by the name, trademark, symbol, sign or other distinguishing mark appearing upon said tank, pump or other container; to prohibit the imitation, design, symbol, color scheme, trade name, trademark or markings on any building or equipment of any marketer of liquid fuels; and for other purposes.

H. B. 408, an act to amend section 1608 (cc) of the Consolidated Statutes, regulating appeals from the general county court to the Superior Court.

H. B. 439, an act to amend chapter 281 of the Public Laws of 1931 so as to prevent clerk of the Superior Court from loaning trust funds.

H. B. 432, an act to enable the Governor of North Carolina to better perform his duties under the Constitution in the matter of reprieves, commutations and pardons, and thereby more expeditiously handle the prison problem and reduce the cost of administration thereof.

H. B. 430, an act to amend section 1443, Volume III, Consolidated Statutes, relating to terms of court in Union County.

H. B. 485, an act to amend chapter 442, Public-Local Laws, 1931, relative to issuance and filing of pleadings in claim and delivery actions.

H. B. 500, an act to amend section 160 of Consolidated Statutes, relating to payment of burial expenses from assets derived from wrongful act.

H. B. 412, an act to amend section 4149 of the Consolidated Statutes of North Carolina, relating to the probate of wills.

H. B. 519, an act to authorize the Secretary of State to offer for sale the Consolidated Statutes of North Carolina at a reduced price.

H. R. 523, a joint resolution of the General Assembly of North Carolina approving the purposes of the Century of Progress Exposition to be held at



Chicago from June first to November, 1933, and to authorize the participation of the State of North Carolina therein, and to call upon the people of the State for moral and financial coöperation.

H. R. 524, a joint resolution commending Congressman E. W. Pou for his patriotic speech advocating plenary power be given President-elect Roosevelt to reduce governmental costs.

H. B. 531, an act to authorize and empower the town of East Flat Rock, Henderson County, to sell its delinquent tax list for the year 1930.

H. B. 573, an act regulating the jurisdiction of the Superior Court of Scotland County.

H. B. 577, an act to amend chapter 128 of the Private Laws of 1931, relating to the tribal council of the Eastern Band of Cherokee Indians.

H. B. 585, an act to amend chapter 316, Public-Local Laws of 1929, and chapter 451, Public-Local Laws of 1931, relative to delinquent taxpayers in Craven County, and to reenact the same as amended.

H. B. 593, an act providing for the appointment of a special deputy sheriff for the village of Caraleigh, Raleigh Township.

H. B. 648, an act to amend chapter 207 of the Public Laws of 1927, relative to the Superior Courts of Henderson County.

H. B. 669, an act to amend chapter 168 of the Public-Local Laws, session of 1931, being "An act to create a jury commission for the county of Yancey."

H. B. 671, an act to amend section one of chapter 2, Private Laws, 1931, relating to the election of cotton weigher for Marshville, Union County.

H. B. 672, an act for the relief of W. C. Rape.

H. B. 685, an act to amend chapter 378 of the Public-Local Laws of 1931, relating to appointment of deputy sheriffs in Union County.

H. B. 696, an act to provide for the ditching and repairing of the State Canal running from Pungo River to New Lake, in Hyde County.

H. B. 723, an act relating to road district bonds heretofore issued by Swain Road District in Swain County, and township road bonds heretofore issued by Forney's Creek Township in Swain County.

H. B. 726, an act relating to payment of township highway bonds in McDowell County.

H. B. 817, an act to allow the commissioners of Union County to extend time of paying 1932 taxes by citizens of Marvin, where crops were destroyed by hail.

H. B. 818, an act authorizing the board of commissioners of Bladen County to continue terms of court.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 263, a bill relating to appropriation and anticipation of school maintenance and other funds in the city of Burlington, upon third reading. The bill passes third reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Dempsey, Dunagan, Eflord, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner,

Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Walker—41.

The bill is ordered sent to the House of Representatives.

S. B. 315, a bill relative to the incorporated boundary line of the town of Bakersville, and to authorize and empower the clerk of the Superior Court of Mitchell County to appoint successors to members of the board of aldermen of said town who may resign, upon second reading.

The bill passes second reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Dempsey, Dunagan, Efird, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Walker—41.

H. B. 504, a bill to amend chapter 119 of the Private Laws of 1927, and to change the corporate boundaries of the town of Windsor, in Bertie County, upon second reading.

The bill passes second reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Dempsey, Dunagan, Efird, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Walker—41.

H. B. 290, a bill to consolidate Charleston and Oconalufy townships in Swain County into one township to be known as Charleston Township.

Passes its second and third readings and is ordered enrolled.

H. B. 346, a bill to repeal chapter 425 of the Public-Local Laws of 1931, relative to the boundary line between the county of Ashe and the county of Wilkes.

Passes its second and third readings and is ordered enrolled.

H. B. 351, a bill to amend section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Swain County.

Passes its second and third readings and is ordered enrolled.

H. B. 383, a bill to amend section 1443 of Volume III of the Consolidated Statutes as amended, relating to terms of court in Tyrrell County.

Passes its second and third readings and is ordered enrolled.

H. B. 426, a bill to authorize the county commissioners of Greene County to employ some person to administer hog cholera serum in Greene County.

Passes its second and third readings and is ordered enrolled.

H. B. 486, a bill to repeal chapter 109, Public-Local Laws, 1929, relating to salaries of county officers of Rutherford County, and fixing salaries of clerk Superior Court, register of deeds and treasurer of said county.

Passes its second and third readings and is ordered enrolled.

H. B. 533, a bill relating to the compensation of the register of deeds of Yancey County.

Passes its second and third readings and is ordered enrolled.



H. B. 608, a bill to appoint trustees for the Cooper Burial Ground in Caswell County.

Passes its second and third readings and is ordered enrolled.

H. B. 613, a bill to fix and determine the salary or compensation of the sheriff of Alleghany County and other officers thereof.

Passes its second and third readings and is ordered enrolled.

H. B. 623, a bill to amend chapter 489, Public-Local Laws, 1929, exempting Cleveland County from the real estate commission law.

Passes its second and third readings and is ordered enrolled.

H. B. 690, a bill to amend chapter 194 of the Private Laws of North Carolina, session 1901, so as to fix the date on which the officers of the city of Shelby will take their office.

Passes its second and third readings and is ordered enrolled.

H. B. 692, a bill to amend chapter 351, Private Laws of 1913, relative to the charter of the town of Dallas, North Carolina, providing for a change in the date of election of mayor and board of aldermen of said town and providing for an annual audit.

Passes its second and third readings and is ordered enrolled.

H. B. 746, a bill to abolish the office of treasurer of Lincoln County, and to designate a depository for county funds.

Passes its second and third readings and is ordered enrolled.

H. B. 761, a bill requiring the board of county commissioners of Rutherford County to pay the premiums on the official bonds of the register of deeds, clerk of Superior Court and county treasurer of Rutherford County.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Hartsell, S. B. 180, a bill to allow the counties, municipalities and other governing agencies to refund tax sales certificates, is recalled from the House of Representatives for the purpose of making corrections in the engrossment.

Upon motion of Senator Blackstock, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## FIFTY-FOURTH DAY

SENATE CHAMBER,

TUESDAY, March 7, 1933.

The Senate meets pursuant to adjournment, and in the absence of the Lieutenant-Governor and the president pro tempore, the principal clerk calls Senator Grady to the chair, who calls the Senate to order.

Prayer is offered by Mr. Lex Klutz of the Y. M. C. A., Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Walker, for the Committee on Election Laws:

S. B. 248, a bill relating to and declaring unlawful employment and paying for services for electioneering in primary elections, with an unfavorable report.

S. B. 194, a bill to amend section 7 of chapter 348, Public Laws of 1931, relating to electioneering on primary day, with an unfavorable report.

H. B. 654, a bill to amend House Bill 190, being "An act to repeal the absentee ballot law for Yancey County," so as to add Clay County to its provisions, with an unfavorable report.

By Senator Moore, for the Committee on Reorganization of State Government:

S. B. 70, a bill to amend section 1, chapter 230, Public Laws of 1931 and chapter 48, Public Laws of 1927, relative to the appointment of members to the North Carolina Park Commission, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 295, a bill to make competent evidence of communicated threats against the defendant on pleas of self defense in cases of assault, assault and battery, and affrays, where deadly weapons are used and serious damages done, with a favorable report.

S. B. 311, a bill to amend section 1013, Consolidated Statutes of North Carolina, with a favorable report.

H. B. 813, a bill to provide for stay of execution in cases where motion for new trial is made after affirmance of conviction by the Supreme Court, with a favorable report.

S. B. 313, a bill relating to the fees for registering Federal crop liens and Federal chattel mortgages, with a favorable report.

S. B. 324, a bill to amend section 2285 of the Consolidated Statutes of North Carolina, relating to process and jury service issued and under said section, with a favorable report.

S. B. 303, a bill to amend section 5178 of the Consolidated Statutes, relative to penalty for non-payment of dues in building and loan associations, with a favorable report as amended.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Francis: S. B. 336, a bill to provide for the exemption from taxation, homes of disabled world war veterans, valued at eighteen hundred dollars (\$1,800.00) or less, purchased entirely with government funds.

Referred to Committee on Finance.

By Senator Hairfield: S. B. 337, a bill to amend the charter of the town of Morganton as contained in chapter 104 of the Private Laws of 1913, as amended by chapter 108 of the Private Laws, 1921, (extra session); Private Laws, 1923.

Upon motion of Senator Hairfield, the rules are suspended and the bill is placed upon its immediate readings.



Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hairfield: S. B. 338, a bill to regulate the payment of rewards for the seizure of stills in Burke County.

Upon motion of Senator Hairfield, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Clement: S. B. 339, a bill relating to the extension of time for payment of special assessments levied by the city of Salisbury.

Referred to Committee on Finance.

By Senator Clement: S. B. 340, a bill to amend section 2650 of the Consolidated Statutes of North Carolina and to provide that municipal elections shall be held on Tuesday after the first Monday in June.

Referred to Committee on Election Laws.

By Senator Patton: S. B. 341, a bill to appoint John W. Edwards of Franklin Township, Macon County, a justice of the peace for a term of six years.

Referred to Committee on Justices of the Peace.

By Senator Patton: S. B. 342, a bill to place the name of Laura Parrish, widow of George Parrish, a Confederate veteran, on the pension roll of North Carolina.

Referred to Committee on Pensions.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

HOUSE OF REPRESENTATIVES,

MONDAY NIGHT, March 6, 1933.

*Mr. President:*

In compliance with your request we are returning S. B. 180, title "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," to you for further consideration by your Honorable Body.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

H. B. 350, a bill to coördinate and consolidate the functions of government for Duplin County, and to provide a maximum tax levy for the years 1933 and 1934 of sixty-six and two-thirds cents.

Referred to Committee on Finance.

H. B. 607, a bill denying the right of jury trial in the Superior Courts of Bertie County in criminal causes in cases appealed thereto from the general court of said county in those cases in which a jury trial has been had in said general county court and providing that such appeals shall be heard on cases stated as now provided in appeals from said county in civil causes.

Referred to Committee on Judiciary No. 1.

H. B. 753, a bill to amend chapter 27, sub-chapter 2 of the Consolidated Statutes, relating to the time for holding a term of the Superior Court and affecting the county of Pender.

Referred to Committee on Courts and Judicial Districts.

H. B. 769, a bill to suspend the collection of special school taxes in the Peachtree Public School District of Cherokee County for the period of two years.

Referred to Committee on Finance.

H. B. 788, a bill empowering and authorizing the town of Saluda in its discretion to cancel the indebtedness or any part thereof due by any church or religious body or charitable association owning property within the corporate limits of said city.

Referred to Committee on Finance.

H. B. 803, a bill relating to the use of the proceeds from the collection of certain delinquent taxes in Tyrrell County.

Referred to Committee on Finance.

H. B. 832, a bill to amend chapter 109, Public-Local Laws of 1931, relating to a jury commission for Cherokee County.

Referred to Committee on Judiciary No. 1.

H. B. 833, a bill to appoint trustees for Andrews School District in Cherokee County.

Referred to Committee on Education.

#### ENROLLED BILLS

Senator Eflrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 329, an act to provide for banking holidays and to conserve and protect the assets and resources of banking corporations.

H. B. 823, an act to confer emergency powers upon the insurance commissioner.

S. B. 330, an act relating to the payment of withdrawals and matured stock in building and loan associations.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 115, a bill to amend chapter 21 of the Consolidated Statutes, 1919, to make more effective the regulation of public utilities.

S. B. 180, a bill to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:



H. B. 504, a bill to amend chapter 119 of the Private Laws of 1927, and to change the corporate boundaries of the town of Windsor in Bertie County, upon third reading.

The bill passes third reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackburn, Blackstock, Blue, Boggan, Brown, Burgin, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Gwyn, Hairfield, Hartsell, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick—37.

The bill is ordered enrolled.

S. B. 315, a bill relative to the incorporated boundary line of the town of Bakersville, and to authorize and empower the clerk of the Superior Court of Mitchell County to appoint successors to members of the board of aldermen of said town who may resign, upon third reading.

The bill passes third reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackburn, Blackstock, Blue, Boggan, Brown, Burgin, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Gwyn, Hairfield, Hartsell, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick—37.

The bill is ordered sent to the House of Representatives.

H. B. 326, a bill to repeal chapter 396 of Public-Local Laws of 1931, relating to place of meeting of board of education in Currituck County.

Passes its second and third readings and is ordered enrolled.

H. B. 447, a bill to fix the salary of the recorder of the recorder's court of Camden County.

Passes its second and third readings and is ordered enrolled.

H. B. 511, a bill to repeal a portion of chapter 15, section P, of the license schedule of the Private Laws of 1923, and to remove a discrimination against certain licenses operating in Elizabeth City and to place them upon the same basis as similar licenses operating in other parts of North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 514, a bill to amend chapter 167, Public Laws, 1929, relating to the courts of Pasquotank County.

Passes its second and third readings and is ordered enrolled.

H. B. 615, a bill to limit the pay of jurors in Pasquotank County.

Passes its second and third readings and is ordered enrolled.

H. B. 694, a bill relating to the municipal county court of Lenoir County.

Passes its second and third readings and is ordered enrolled.

S. B. 303, a bill to amend section 5178 of the Consolidated Statutes relative to penalty for non-payment of dues in building and loan associations.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second reading and upon objection by Senator Hartsell to its final passage it remains upon the Calendar.

H. B. 451, a bill to amend section 2808, Consolidated Statutes of North Carolina, relating to collection of water rents, upon third reading.

Senator Aiken offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 238, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter, 381; and to transfer the illuminating oil, gas and lubricating oil, inspection division to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the board of agriculture, and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors of motor vehicle inspectors, upon third reading.

Senator Hinsdale offers an amendment.

Senator Ingram offers an amendment.

Senator Bailey offers an amendment which is adopted.

The amendment offered by Senator Ingram is adopted.

The amendment offered by Senator Hinsdale fails of adoption.

Upon the passage of the bill on its third reading, Senator Brown calls for the ayes and noes.

The call is sustained.

The bill passes third reading, ayes 26, noes 16, as follows:

Those voting in the affirmative are: Senators Bailey, Beatty, Bell, Blackburn, Bland, Blue, Boggan, Burgin, Clement, Cross, Dempsey, Efird, Grady, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hartsell, Hill, Ingram, Land, Long, MacLean, McBryde, Moore, Rankin—26.

Those voting in the negative are: Senators Aiken, Barker, Brown, Clark, Corey, Dunagan, Francis, Fuller, Hinsdale, Joyner, McDuffee, McNeill of Ashe, McNeill of Cumberland, Patton, Walker, Waynick—16.

The bill is ordered engrossed.

S. B. 258, a bill to amend chapter 6 of the Consolidated Statutes of North Carolina on bastardy.

Upon motion of Senator Sparger, action on the bill is deferred until Thursday, March 9.

S. B. 294, a bill to refund to Mrs. James E. Colton the amount overcharged her for automobile license tags.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 312, a bill to amend chapter 146, Public Laws, 1927, so as to eliminate the requirement of an estimate of uncollected taxes to be of the average of the past preceding three years.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 304, a bill relative to reorganization of corporations whose charters have been forfeited.

Passes its second and third readings and is ordered enrolled.

H. B. 380, a bill to shorten time for payment of gasoline tax, to regulate transportation by trucks and boats, provide for regular audit of accounts and to further safeguard payment and prevent evasion.

The amendments offered by the Committee are adopted.



The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 389, a bill to amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes.

The amendments offered by the Committee are adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 409, a bill to amend section 24 (d) of section 2 of chapter 85, Public Laws of 1924, same being "An act to relieve congestion in court docket and provide for the speedy trial of cases."

Passes its second and third readings and is ordered enrolled.

H. B. 410, a bill to amend chapter 242, Public Laws, 1925, relating to removal of causes from the general county court.

Passes its second and third readings and is ordered enrolled.

H. B. 545, a bill to prevent the challenging of jurors who have not paid the taxes assessed against them during the preceding two years.

Passes its second and third readings and is ordered enrolled.

S. B. 683, a bill to amend section 3908 of the Consolidated Statutes, relating to fees of sheriffs.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Burgin, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## FIFTY-FIFTH DAY

SENATE CHAMBER,

WEDNESDAY, March 8, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. S. M. Schuler, Seventh Day Adventist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Judge I. H. Meekins and ex-Senators W. C. Heath, Charles A. Hines and George E. Ward.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

S. B. 297, a bill to amend chapter 241, Public-Local Laws, 1927, relative to the real estate commission exempting Wake County from the provisions thereof, with a favorable report.

S. B. 332, a bill to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes, with a favorable report.

S. B. 339, a bill relating to the extension of time for payment of special assessments levied by the city of Salisbury, with a favorable report.

H. B. 543, a bill to authorize and empower the board of county commissioners of Graham County to purchase the Graham County Bank Building and take over all other real estate and assets of said bank, collect same, and apply the proceeds thereof to the indebtedness due by Graham County Bank to Graham County, with a favorable report.

H. B. 158, a bill setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes, with a favorable report as amended.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 547, a bill to create the office of deputy township constable for Waynesville Township, Haywood County, with a favorable report.

S. B. 289, a bill to amend the charter of the city of Hickory by extending its corporate limits, with a favorable report.

S. B. 290, a bill to amend the charter of the city of Hickory by providing for the re-assessment of street improvement liens, etc., with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Walker, for the Committee on Election Laws:

S. B. 340, a bill to amend section 2650 of the Consolidated Statutes of North Carolina, and to provide that municipal elections shall be held on Tuesday after the first Monday in June, with a favorable report.

H. B. 544, a bill to repeal the absentee ballot law for Yadkin County, North Carolina, with a favorable report.

H. B. 525, a bill to amend chapter 97 of the Consolidated Statutes of North Carolina, Volume II, and chapter 164 of the Public Laws of 1929, so as to make the administration of the election laws more economical and more efficient, with a favorable report as amended.

S. B. 69, a bill to abolish the absentee ballot law in all primary elections in North Carolina, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 584, a bill to reduce the salary of the mayor of the city of New Bern, with a favorable report.

H. B. 600, a bill to repeal sections 7, 8, 9 and 10 of chapter 415, Public-Local Laws, 1927, relating to salaries of the officers of Martin County, with a favorable report.

H. B. 294, a bill to amend chapter 498, Public-Local Laws of 1923, relating to salaries of Brunswick County officials, with a favorable report.



H. B. 247, a bill to repeal chapter 283, Public-Local Laws, session of 1931, relating to pay of county commissioners of Columbus County, with a favorable report.

By Senator Aiken, for the Committee on Courts and Judicial Districts:

H. B. 588, a bill to repeal chapter 17, and chapter 126 of the Public Laws of the session of 1929, relating to establishment of recorder's court in Burke County; and to repeal chapters 422 and 335 of Public Laws of the session of 1931, relating to the general courts in Burke County, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator McNeill of Ashe, by request: S. B. 343, a bill validating official acts of F. N. Roup, Justice of the peace of Gap Civil Township, Alleghany County, North Carolina.

Referred to Committee on Judiciary No. 2.

By Senator Greene, by request: S. B. 344, a bill for the relief of W. A. Hall, Yancey County, North Carolina.

Upon motion of Senator Greene, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Walker: S. B. 345, a bill regulating the purchase and character of the fuel for use in the rural public schools of North Carolina.

Referred to Committee on Education.

By Senator Beatty: S. B. 346, a bill regulating the compensation of the sheriff of Bladen County.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Beatty: S. B. 347, a bill providing for the continuance of farm and home demonstration work in Bladen County.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Dempsey: S. B. 348, a bill to amend section 1443 of the Consolidated Statutes, as amended, so that the May term of the Superior Court of Wilson County shall be a general term.

Upon motion of Senator Dempsey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Clark: S. B. 349, a bill to permit the sale and use of hog cholera virus in Edgecombe County under certain conditions.

Upon motion of Senator Bailey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senators Bailey, MacLean and others: S. B. 350, a bill to make available to the various counties and school districts the allotments made from the tax education fund irrespective of the amount of ad valorem taxes collected.

Referred to Committee on Education.

By Senator Waynick: S. B. 351, a bill to provide for a convention to consider and pass upon the proposed amendment to the Constitution of the United States repealing the Eighteenth Amendment thereof as submitted by the Seventy-second Congress.

Referred to Committee on Constitutional Amendments.

By Senator Ingram: S. B. 352, a bill to place the name of Mrs. Hattie Cross of Randolph County on the pension roll.

Referred to Committee on Pensions.

By Senator Noell: S. B. 353, a bill to repeal chapter 399, Public-Local Laws, 1929, relating to hunting of foxes in Person County.

Upon motion of Senator Noell, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### PETITIONS AND MEMORIALS

The President announces the receipt of a petition from the inmates of the Confederate Veterans Home of Fayetteville, protesting against abandoning the Home, which is referred to the Committee on Appropriations.

#### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. C. B. Ehringhaus:

MARCH 8, 1933.

*To the President of the Senate, and Speaker of the House of Representatives, and Members of the General Assembly.*

*Gentlemen:*

I feel it my duty to advise that I shall desire to address a joint session of the General Assembly in the near future, though I am at present unable to suggest a definite date. The present banking crisis has become a national one, with which the Congress of the United States must deal in the immediate future, and it seems inadvisable to present my views on matters of finance and appropriations for schools and other governmental activities until there is some further clarification of this situation, which it is anticipated will take place during the week.

Under the circumstances, I venture to recommend that you postpone, for a brief time, consideration of the revenue and finance bills. Your pending Calendars no doubt will furnish ample opportunity for the satisfactory and worthwhile employment of the intervening time.

Respectfully yours,

J. C. B. EHRLINGHAUS,  
Governor.



## ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 99, an act to amend chapter 124 of the Public Laws of North Carolina, session 1927, governing the sale of lands of life tenants for reinvestment and for improving other unimproved real estate.

S. B. 236, an act to ratify and validate extension of benefit assessments in town of Cherryville, North Carolina.

S. B. 237, an act to authorize the board of school commissioners of Gastonia Graded School District, Gaston County, to issue bonds and to provide for a tax levy for the payment thereof.

S. B. 261, an act to amend chapter 158 of the Public-Local Laws of 1911 and chapter 353 of the Public-Local Laws of 1931, relative to the recorder's court in Vance County.

S. B. 298, an act to abolish wards in the city of Goldsboro and provide for the nomination and election at large of a mayor and five aldermen for said city.

S. B. 335, an act for the relief of the Bank of Franklin and its depositors.

H. B. 290, an act to consolidate Charleston and Oconalufty townships in Swain County into one township to be known as Charleston Township.

H. B. 304, an act relative to reorganization of corporations whose charters have been forfeited.

H. B. 326, an act to repeal chapter 396, Public-Local Laws, 1931, relating to place of meeting of board of education in Currituck County.

H. B. 346, an act to repeal chapter 425 of the Public-Local Laws of 1931, relative to the boundary line between the county of Ashe and the county of Wilkes.

H. B. 351, an act to amend section 1443 of Volume III of the Consolidated Statutes relating to terms of court for Swain County.

H. B. 383, an act to amend section 1443 of Volume III of the Consolidated Statutes as amended, relating to terms of court in Tyrrell County.

H. B. 409, an act to amend section 24d of section 2, of chapter 85, Public Laws of 1924, same being an act to relieve congestion in court docket and provide for the speedy trial of cases.

H. B. 410, an act to amend chapter 242, Public Laws, 1925, relating to removal of causes from the general county court.

H. B. 426, an act to authorize the county commissioners of Greene and Hertford counties to employ some person to administer hog cholera serum and virus in Greene and Hertford counties.

H. B. 447, an act to fix the salary of the recorder of the recorder's court of Camden County.

H. B. 486, an act to repeal chapter 109, Public-Local Laws, 1929, relating to salaries of county officers of Rutherford County, and fixing salaries of clerk Superior Court, register of deeds and treasurer of said county.

H. B. 504, an act to amend chapter 119 of the Private Laws of North Carolina of 1927, and to change the corporate boundaries of the town of Windsor, in Bertie County.

H. B. 511, an act to repeal a portion of chapter 15, section "P" of the license schedule of the Private Laws of 1923, and to remove a discrimination against certain licenses operating in Elizabeth City and to place them upon the same basis as similar licenses operating in other parts of North Carolina.

H. B. 514, an act to amend chapter 167, Public Laws, 1929, relating to the courts of Pasquotank County.

H. B. 533, an act relating to the compensation of the register of deeds of Yancey County.

H. B. 545, an act to prevent the challenging of jurors who have not paid the taxes assessed against them during the preceding two years.

H. B. 602, an act to amend section 840, Volume I, Consolidated Statutes, relating to claims of third persons in claim and delivery proceedings.

H. B. 608, an act to appoint trustees for the Cooper Burial Ground in Caswell County.

H. B. 613, an act to fix and determine the salary or compensation of the sheriff of Alleghany County and other officers thereof.

H. B. 615, an act to limit the pay of jurors in Pasquotank County.

H. B. 623, an act to amend chapter 489, Public-Local Laws, 1929, exempting Cleveland County from the real estate commission law.

H. B. 683, an act to amend section 3908 of the Consolidated Statutes, relating to fees of sheriffs.

H. B. 690, an act to amend chapter 194 of the Private Laws of North Carolina, session 1901, so as to fix the date on which the officers of the city of Shelby will take their office.

H. B. 692, an act to amend chapter 351, Private Laws of 1913, relative to the charter of the town of Dallas, North Carolina, providing for a change in the date of election of mayor and board of aldermen of said town, and providing for an annual audit.

H. B. 694, an act relating to the municipal county court of Lenoir County.

H. B. 695, an act requiring clerks of the Superior Court to give notice to legatees and devisees.

H. B. 746, an act to abolish the office of treasurer of Lincoln County, and to designate a depository for county funds.

H. B. 761, an act requiring the board of county commissioners of Rutherford County to pay the premiums on the official bonds of the register of deeds, clerk of Superior Court and county treasurer of Rutherford County.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 425, a bill to amend chapter 72, Public Laws, 1931, amending section 1659 of the Consolidated Statutes, relative to grounds for absolute divorce.

Referred to Committee on Judiciary No. 1.

H. B. 437, a bill to amend chapter 466 of the Public-Local Laws of North Carolina, session 1929, relating to pool rooms.

Referred to Committee on Propositions and Grievances.



H. B. 556, a bill to amend section 1589 of the Consolidated Statutes, relative to recorder's courts.

Referred to Committee on Judiciary No. 1.

H. B. 731, a bill to facilitate the sale and consumption of North Carolina farm products.

Referred to Committee on Agriculture.

H. B. 816, a bill relating to payment of indebtedness of special and special charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in McDowell County.

Referred to Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 233, a bill to amend chapter 53 of the Public Laws of 1931, relating to the fees of the clerk of the court of Mitchell County and the salary of the sheriff and treasurer-tax collector of said county.

The amendment offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 286, a bill to repeal chapter 177, Public-Local Laws of 1931, creating a jury and tax commission for Madison County.

Senator Dunagan moves that the bill be laid upon the Table and upon this motion calls for the ayes and noes.

The call is sustained.

The motion fails to prevail, ayes 13, noes 23, as follows:

Those voting in the affirmative are: Senators Aiken, Bell, Boggan, Clement, Cross, Dunagan, Efrid, Francis, Griffin of Franklin, Hairfield, Land, Noell, Patton—13.

Those voting in the negative are: Senators Blackburn, Blackstock, Bland, Blue, Burgin, Fuller, Grady, Greene, Griffin of Chowan, Gwyn, Hanes, Hill, Ingram, Joyner, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Sparger, Walker, Waynick—23.

Upon motion of Senator Sparger, the bill is re-referred to the Committee on Judiciary No. 2.

S. B. 303, a bill to amend section 5178 of the Consolidated Statutes, relative to penalty for nonpayment of dues in building and loan associations, upon third reading.

Senator Hartsell moves that the bill be referred to the Committee on Insurance.

The motion fails to prevail.

Senator Hartsell offers an amendment which fails of adoption.

Passes its third reading and is ordered engrossed.

S. B. 70, a bill to require an audit of the receipts and expenditures of the Park Commission to date and authorizing the Governor to designate a committee of the Park Commissioner to be appointed by him to investigate and report upon the expenditures and receipts of said commissioners and whether

such expenditures were authorized and to amend chapter 48 of Public Laws of 1927.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 313, a bill to amend section 5178 of the Consolidated Statutes, relative to penalty for nonpayment of dues in building and loan associations.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 311, a bill to amend section 1013, Consolidated Statutes of North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 324, a bill to amend section 2285 of the Consolidated Statutes of North Carolina, relating to process and jury service issued and under said section.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 333, a bill to amend the preamble and the several sections of the Constitution of North Carolina.

Senator Moore offers a substitute.

Upon motion of Senator Waynick, the bill and the substitute are made a special order for tomorrow.

H. B. 813, a bill to provide for stay of execution in cases where motion for new trial is made after affirmance of conviction by the Supreme Court.

Upon motion of Senator Clement, action on the bill is deferred and it remains upon the Calendar.

Upon motion of Senator Rankin, S. B. 296, a bill to provide for the organization, incorporation and operation of cash depositories in the State of North Carolina, is taken from the Committee on Finance and re-referred to the Committee on Banks and Banking.

Upon motion of Senator Moore, S. B. 275, a bill more clearly to define the duties of the Commissioner of Labor, is taken from the Committee on Reorganization of State Government and re-referred to the Committee on Commerce and Labor.

Upon motion of Senator Barker, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## FIFTY-SIXTH DAY

SENATE CHAMBER,

THURSDAY, March 9, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. C. J. Hollandsworth, First Vanguard Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his



motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senators C. G. Wright, Luther Carlton, E. J. Tucker, A. A. Hicks, Judge Thomas J. Shaw and the county officials of Pitt County.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator McDuffee, for the Committee on Propositions and Grievances:

H. B. 619, a bill to provide for an election on what shall constitute a lawful fence in Graham County, with an unfavorable report.

H. B. 530, a bill to establish a boxing commission for the town of Belmont in Gaston County, with a favorable report.

S. B. 150, a bill to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Mitchell and Avery counties, with a favorable report.

H. B. 160, a bill to repeal chapter 38 of the Public-Local Laws of 1929, relating to the capture of stills in Yancey County, with a favorable report.

H. B. 275, a bill to repeal chapter 15 of the Public-Local and Private Laws of 1923, being "An act to prohibit the sale or use of fireworks in Currituck and Cherokee counties, in so far as the same applies to Cherokee County," with a favorable report.

H. B. 670, a bill to amend chapter 42, Public Laws, 1927, relating to rewards for the capture of stills in Union County, with a favorable report.

H. B. 796, a bill to permit the commissioners of the town of East Bend or the trustees of the East Bend Baptist Church, Yadkin County, to remove bodies to the Benbow Chapel colored cemetery, with a favorable report.

H. B. 805, a bill to provide the regulation of peddlers in the city of Charlotte, North Carolina, with a favorable report.

By Senator Blue, for the Committee on Agriculture:

S. B. 327, a bill to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction, with an unfavorable report.

H. B. 106, a bill to amend chapter 52, section 2532 of Consolidated Statutes of North Carolina, with a favorable report.

H. B. 377, a bill to amend chapter 170, Laws of 1921, relating to standard weight packages of hominy and grits, with a favorable report.

H. B. 501, a bill relating to the duties of the State Farm Demonstration Agent in Northampton County, with a favorable report.

H. B. 767, a bill to exempt Hertford, Bertie and Hyde counties from the provisions of section 2532 of the Consolidated Statutes, regulating tolls by public millers, with a favorable report.

By Senator MacLean, for the Committee on Education:

S. B. 350, a bill to make available to the various counties and school districts the allotments made from the tax reduction fund, irrespective of the amount of ad valorem taxes collected, with a favorable report as amended.

By Senator Rankin, for the Committee on Finance:

H. B. 788, a bill empowering and authorizing the town of Saluda in its discretion to cancel the indebtedness or any part thereof due by any church or religious body or charitable association owning property within the corporate limits of said city, with an unfavorable report.

H. B. 803, a bill relating to the use of the proceeds from the collection of certain delinquent taxes in Tyrrell County, with an unfavorable report.

S. B. 322, a bill to relieve the blind citizens of the State by exempting their homes from taxation, with an unfavorable report.

S. B. 336, a bill to provide for the exemption from taxation, homes of disabled world war veterans, valued at eighteen hundred dollars (\$1800.00) or less, purchased entirely with government funds, with an unfavorable report.

H. B. 769, a bill to suspend the collection of special school taxes in the Peachtree Public School District of Cherokee County for the period of two years, with a favorable report.

H. B. 470, a bill to provide for the payment of municipal street assessments in installments in the town of Enfield, with a favorable report.

H. B. 715, a bill to extend the time for payment of street assessments in the town of Aulander, North Carolina, with a favorable report.

H. B. 467, a bill to allow the board of aldermen of the town of Brevard to extend the time for payment of street assessments in said town, with a favorable report.

H. B. 468, a bill to authorize the tax collector of the town of Brevard to receive bonds on notes of said town in payment of debt service portion of current or delinquent taxes, with an unfavorable report.

H. B. 466, a bill to allow the tax collector of the town of Brevard to receive bonds or notes of said town in payment of special assessments, with an unfavorable report.

H. B. 731, a bill to facilitate the sale and consumption of North Carolina farm products, with a favorable report.

H. B. 816, a bill relating to payment of indebtedness of special and special charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in McDowell County, with a favorable report.

S. B. 314, a bill exempting the Wesley Ellis Post, American Legion, from paying special or privilege tax to town corporation or Mitchell County for sponsoring picture shows or other forms of entertainment, with a favorable report.

S. B. 319, a bill to authorize Wayne County to assume certain school building and equipment bonds of school districts in said county, with a favorable report.

S. B. 21, a bill to regulate transportation by motor vehicle over public highways of the State and compel their contribution toward the maintenance and upkeep of the highways, with an unfavorable report.

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 571, a bill repealing chapter 183 of the Public-Local Laws of North Carolina, extra session of 1924, and regulating the fees of the clerk of the Superior Court of Scotland County, with a favorable report.



H. B. 687, a bill to amend chapter 82, Public-Local Laws of 1931, relating to the salary of the county accountant of Union County, with a favorable report.

H. B. 609, a bill fixing the fees of the justices of the peace of Caswell County, with a favorable report.

H. B. 483, a bill relating to the salaries of the officers of Bertie County, with a favorable report.

S. B. 273, a bill amending chapter 117 of the Public-Local Laws of North Carolina, session 1921, regulating the fees of the sheriff of Scotland County, with a favorable report.

H. B. 713, a bill fixing the salaries and fees of the officers of Alexander County, abolishing the office of tax collector and the recorder's court of said county, with a favorable report.

H. B. 499, a bill to amend and rewrite section 6108 of the Consolidated Statutes, relating to the enrollment of acts of the General Assembly, and the employment of necessary assistance for that purpose, with a favorable report as amended.

H. B. 663, a bill to repeal chapter 799 of the Public-Local Laws of North Carolina, relating to costs in the courts of the justices of the peace of Buncombe County, with a favorable report.

H. R. 491, a joint resolution relating to the employment of married couples now employed by agencies of State Government, with a favorable report.

H. B. 411, a bill requiring the store-room keepers of Buncombe County to file a report of all disbursements in the office of the clerk of the Superior Court, with a favorable report as amended.

By Senator Bland, for the Committee on Pensions:

S. B. 166, a bill to amend section 5168 (q), Volume III of the Consolidated Statutes, providing for payment of Confederate pensions quarterly, with an unfavorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Blackstock, by request: S. B. 354, a bill to amend chapter 87, Public Laws of 1921, relating to coöperative organizations, permitting subsidiary organizations, and permitting a limited dealing with products of non-members.

Referred to Committee on Agriculture.

By Senator Walker: S. B. 355, a bill to facilitate the reduction of the bonded indebtedness of counties, cities and towns.

Referred to Committee on Finance.

By Senator Aiken: S. B. 356, a bill to permit the consolidation of counties by popular vote therein.

Referred to Committee on Judiciary No. 1.

By Senator Aiken: S. B. 357, a bill to permit the annexation of one county by another by popular vote.

Referred to Committee on Judiciary No. 1.

By Senator Aiken: S. B. 358, a bill to authorize governing bodies of counties and municipalities to contract for the purpose of carrying on administrative functions at joint expense.

Referred to Committee on Judiciary No. 1.

By Senator Corey: S. B. 359, a bill to amend chapter 116, Public Laws of 1919, relative to damages done by dogs as to Pitt County.

Referred to Committee on Propositions and Grievances.

#### ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 93, an act to abolish the Corporation Commission and to create the office of Utilities Commissioner, and to prescribe and define the functions, powers and duties of such Utilities Commissioner.

S. B. 257, an act to amend the charter of the town of Wilson.

S. B. 301, an act to permit the county of Robeson and any municipality of Robeson County to accept United States Government bonds, North Carolina State bonds and such other obligations of governing agencies as may be approved by local government commission as securities for deposits in lieu of surety bonds.

S. B. 337, an act to amend the charter of the town of Morganton as contained in chapter 104 of the Private Laws of 1913, as amended by chapter 108 of the Private Laws of 1921 (extra session); Private Laws of 1923.

S. B. 338, an act to regulate the payment of rewards for the seizure of stills in Burke County.

S. B. 346, an act regulating the compensation of the sheriff of Bladen County.

S. B. 347, an act providing for the continuance of farm and home demonstration work in Bladen County.

H. B. 380, an act to shorten time for payment of gasoline tax, to regulate transportation by trucks and boats, provide for regular audit of accounts, and to further safeguard payment and prevent evasion.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 238, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue, and to require said patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the board of agriculture, and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors of motor vehicle inspectors.



S. B. 303, a bill to amend section 5178 of the Consolidated Statutes, relative to penalty for nonpayment of dues in building and loan associations.

MESSAGE FROM HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 279, a bill to protect game and fur bearing animals in Beaufort County and prevent the extermination thereof.

Referred to Committee on Game Laws.

H. B. 367, a bill to prohibit the setting of steel traps in Greene County.

Referred to Committee on Game Laws.

H. B. 477, a bill to amend section 3401 of the Consolidated Statutes as amended, so as to reduce the fee paid for capturing stills in Warren County.

Referred to Committee on Counties, Cities and Towns.

H. B. 555, a bill to amend section 1590 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of recorder's courts.

Referred to Committee on Judiciary No. 2.

H. B. 590, a bill to prohibit the carrying of exploding dynamite cartridges and bombs, except for mechanical purposes in Cherokee County.

Referred to Committee on Judiciary No. 2.

H. B. 733, a bill to amend chapter 94 of the Public-Local Laws of 1931, relating to duties of the board of education of Madison County.

Referred to Committee on Education.

H. B. 676, a bill to amend chapter 427 of the Public-Local Laws of 1927, relating to the salary of the chairman of the board of county commissioners of Guilford County.

Referred to Committee on Salaries and Fees.

H. B. 693, a bill to amend Consolidated Statutes No. 6055, sub-section (a 26) and Consolidated Statutes No. 6055, sub-section (a 27) as applicable to holding general elections in Brunswick County.

Referred to Committee on Election Laws.

H. B. 729, a bill to abolish the absentee ballot law in primaries.

Referred to Committee on Election Laws.

H. B. 757, a bill to validate certain sales of land for taxes and certificates issued in pursuance thereof, and the extension for bringing foreclosure actions in Swain County, North Carolina.

Referred to Committee on Finance.

H. B. 785, a bill to repeal the charter of the town of Rutherford College, Burke County.

Referred to Committee on Counties, Cities and Towns.

H. B. 786, a bill to regulate the operation of dance and recreation halls in Buncombe County.

Referred to Committee on Propositions and Grievances.

H. B. 794, a bill to prevent drunkenness in Alexander County.

Referred to Committee on Judiciary No. 2.

H. B. 799, a bill authorizing the commissioners of Sampson County to retire sinking fund loans with county bonds.

Referred to Committee on Finance.

H. B. 809, a bill to reduce the membership of the board of commissioners of Brunswick County.

Referred to Committee on Counties, Cities and Towns.

H. B. 810, a bill to exempt Brunswick County from paying for live stock killed by dogs.

Referred to Committee on Propositions and Grievances.

H. B. 812, a bill to amend section 1864 (a), Consolidated Statutes of North Carolina, so as to place certain portions of Onslow County within the provisions of the Stock Law.

Referred to Committee on Judiciary No. 2.

H. B. 814, a bill to extend the time for beginning actions against A. J. Fagg, former clerk of the Superior Court of Stokes County, and his official bond.

Referred to Committee on Judiciary No. 1.

H. B. 830, a bill to amend section 4458 of the Consolidated Statutes, relating to public drunkenness in Clay County.

Referred to Committee on Judiciary No. 2.

H. B. 842, a bill to authorize the governing body of the town of Spencer to extend the time for payment of street and sidewalk assessments, and to compromise claims therefor for less than the amount of such assessments.

Referred to Committee on Finance.

H. B. 845, a bill to authorize, empower and direct the sheriff and/or tax collector of Craven County to accept county vouchers in payment of taxes.

Referred to Committee on Finance.

H. B. 835, a bill to validate the official acts performed between July 24, 1930, and April 29, 1932, by H. K. Ogburn, notary public for Forsyth County, appointed by His Excellency, the Governor of North Carolina, O. Max Gardner, July 24, 1930.

Referred to Committee on Judiciary No. 2.

H. B. 856, a bill relating to the Superior Courts of Nash County.

Referred to Committee on Courts and Judicial Districts.

H. B. 858, a bill to authorize, empower and direct the tax collector of Carteret County to accept county vouchers in payment of taxes.

Referred to Committee on Finance.

H. B. 859, a bill to allow certain discounts in the payment of delinquent taxes in Morehead City and the County of Carteret.

Referred to Committee on Finance.

H. B. 862, a bill fixing the salary of the court stenographer of Catawba County.

Referred to Committee on Salaries and Fees.

H. B. 867, a bill to validate the official acts of W. A. Brame, a justice of the peace for Marks Creek Township, Wake County, North Carolina, from April 1, 1931, until April 21, 1932.

Referred to Committee on Justices of the Peace.

H. B. 873, a bill to fix fees and commissions to be charged by the clerk of the Superior Court of Forsyth County and the clerk of the Forsyth County Court.

Referred to Committee on Salaries and Fees.



H. R. 884, a joint resolution of the General Assembly of North Carolina, relating to the relief of the counties of Haywood and Swain in the State of North Carolina by reason of their loss in taxable valuation by the establishment of the Great Smoky Mountains National Park.

Referred to Committee on Finance.

H. B. 798, a bill to allow counties and other units to invest in bonds of their said unit.

Upon motion of Senator MacLean, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,

*Mr. President:*

THURSDAY, MARCH 9, 1933.

It is ordered that a message be sent your Honorable Body, with the information that the House has failed to concur in the Senate amendment to H. B. 233, title "to amend chapter 53 of the Public Laws of 1931, relating to the fees of the clerk of the court of Mitchell County and the salary of the sheriff and treasurer-tax collector of said county," and asks for a conference.

The Speaker has appointed as conferees on the part of the House, Messrs. Allen, Martin and Greene.

Respectfully,

THAD EURE,  
*Principal Clerk.*

The President appoints Senators Greene and Francis as conferees on the part of the Senate, and a message is ordered sent to the House of Representatives informing that Body of said action.

HOUSE OF REPRESENTATIVES,

*Mr. President:*

THURSDAY, MARCH 9, 1933.

It is ordered that a message be sent your Honorable Body with the information that the House has failed to concur in Senate amendments to House Bill No. 389, entitled, "To amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes," and ask that a Conference be appointed. The House has appointed as Conferees, on the part of the House, Messrs. Barden, Neal and Wilson.

Respectfully,

THAD EURE,  
*Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators Rankin and Moore and a message is ordered sent to the House informing that Body of said action.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 289, a bill to amend the charter of the city of Hickory by extending its corporate limits, upon second reading.

The bill passes second reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efrid, Francis, Fuller, Grady, Greene, Griffin of Chowan, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Sparger, Summersill, Waynick—41.

H. B. 483, a bill relating to the salaries of the officers of Bertie County.

Senator Joyner offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 290, a bill to amend the charter of the city of Hickory by providing for the re-assessment of street improvement liens, etc.

The substitute offered by the Committee is adopted and the bill is placed upon the second reading roll call Calendar.

S. B. 297, a bill to amend chapter 241, Public-Local Laws, 1927, relative to the real estate commission exempting Wake County from the provisions thereof.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 339, a bill relating to the extension of the time for payment of special assessments levied by the city of Salisbury.

Passes its second reading.

Senator Ingram offers an amendment which is adopted.

Passes its third reading and is ordered engrossed.

H. B. 247, a bill to repeal chapter 283, Public-Local Laws, Session of 1931, relating to pay of county commissioners of Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 294, a bill to amend chapter 498, Public-Local Laws of 1923, relating to salaries of Brunswick County officials.

Passes its second and third readings and is ordered enrolled.

H. B. 588, a bill to repeal chapter 17 and chapter 126 of the Public Laws of the session of 1929, relating to establishment of recorder's court in Burke County; and to repeal chapters 422 and 335 of Public Laws of the session of 1931, relating to the general county courts in Burke County.

Passes its second and third readings and is ordered enrolled.

H. B. 600, a bill to repeal sections 7, 8, 9 and 10 of chapter 415, Public-Local Laws 1927, relating to salaries of the officers of Martin County.

Passes its second and third readings and is ordered enrolled.

H. B. 530, a bill to establish a boxing commission for the town of Belmont in Gaston County.

Passes its second and third readings and is ordered enrolled.

S. B. 332, a bill to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 543, a bill to authorize and empower the board of county commissioners of Graham County to purchase the Graham County Bank Building and take



over all other real estate and assets of said bank, collect same and apply the proceeds thereof to the indebtedness due by Graham County Bank to Graham County.

Passes its second and third readings and is ordered enrolled.

H. B. 544, a bill to repeal the absentee ballot law for Yadkin County, North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 547, a bill to create the office of deputy township constable for Waynesville Township, Haywood County.

Passes its second and third readings and is ordered enrolled.

H. B. 584, a bill to reduce the salary of the mayor of the city of New Bern.

Passes its second and third readings and is ordered enrolled.

S. B. 350, a bill to make available to the various counties and school districts the allotments made from the tax reduction fund irrespective of the amount of ad valorem tax collected.

The amendment offered by the Committee is adopted.

Senator Bailey offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives by a special messenger, without engrossment.

S. B. 333, a bill to amend the preamble and the several sections of the Constitution of North Carolina.

The substitute offered by Senator Moore is withdrawn.

Upon motion of Senator MacLean, the bill is made a special order for tomorrow.

Senator Land for the conferees appointed to consider the differences arising upon H. B. 15, a bill to repeal chapter 129, Public Laws, 1921, being "An act to regulate the issuance of license to marry and providing for the physical examination of applicants," reports that the conferees are unable to agree and the President appoints as an additional conferee on the part of the Senate, Senator MacLean, and a message is ordered sent to the House, informing that Body of this action.

Upon motion of Senator Blue, S. B. 327, a bill to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction, is taken from the unfavorable Calendar and re-referred to the Committee on Agriculture.

Upon motion of Senator MacLean, the Senate takes a recess to meet tonight at 8:00 o'clock.

#### EVENING SESSION

SENATE CHAMBER,

THURSDAY, March 9, 1933.

The Senate meets pursuant to recess and is called to order by Lieutenant-Governor A. H. Graham.

Upon motion of Senator Griffin of Franklin, H. B. 856, a bill relating to the Superior Courts of Nash County, is taken from the Committee on Courts and Judicial Districts and placed upon the Calendar.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 258, a bill to amend chapter 6 of the Consolidated Statutes of North Carolina on bastardy.

The amendment offered by the Committee is adopted.

Passes its second and third readings and is ordered engrossed.

H. B. 158, a bill setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 525, a bill to amend chapter 97 of the Consolidated Statutes of North Carolina, Volume II and chapter 164 of the Public Laws of 1929 so as to make the administration of the election laws more economical and more efficient.

The first amendment offered by the Committee is adopted.

The second amendment offered by the Committee is adopted.

The third amendment offered by the Committee is adopted.

The fourth amendment offered by the Committee is adopted.

Senator Blackstock offers an amendment which fails of adoption.

The bill, as amended, passes its second reading and upon objection of Senator Bailey to its final passage it remains upon the Calendar.

Upon motion of Senator Clark, the bill is made a special order for Monday night, March 13.

H. B. 856, a bill relating to the Superior Courts of Nash County.

Passes its second and third readings and is ordered enrolled.

S. B. 340, a bill to amend section 2650 of the Consolidated Statutes of North Carolina and to provide that municipal elections shall be held on Tuesday after the first Monday in June.

Senator Clement offers an amendment which is adopted.

Passes its second reading and upon objection of Senator Blackstock to its final passage the bill remains upon the Calendar.

H. B. 813, a bill to provide for stay of execution in cases where motion for new trial is made after affirmance of conviction by the Supreme Court.

Upon motion of Senator Hinsdale, the bill is re-referred to the Committee on Judiciary No. 1.

Senator Land gives notice that he will lodge a motion to reconsider the vote by which S. B. 158, a bill setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes, passed its third reading.

Upon motion of Senator Francis, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.



## FIFTY-SEVENTH DAY

SENATE CHAMBER,

FRIDAY, March 10, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant Governor A. H. Graham.

Prayer is offered by Rev. A. S. Parker, Central Methodist Church, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to F. I. Sutton and Ex-Senator K. B. Nixon.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Clement, for the Committee on Finance:

H. B. 842, a bill to authorize the governing body of the town of Spencer to extend the time for payment of street and sidewalk assessments and to compromise claims therefor for less than the amount of such assessments, with a favorable report.

H. B. 799, a bill authorizing the commissioners of Sampson County to retire sinking fund loans with county bonds, with a favorable report.

H. B. 859, a bill to allow certain discounts in the payment of delinquent taxes in Morehead City and the County of Carteret, with a favorable report.

H. B. 858, a bill to authorize, empower and direct the tax collector of Carteret County to accept county vouchers in payment of taxes, with a favorable report.

H. B. 884, a bill of the General Assembly of North Carolina, relating to the relief of the counties of Haywood and Swain in the state of North Carolina by reason of their loss in taxable valuation by the establishment of the Great Smoky Mountains National Park, with a favorable report.

H. B. 845, a bill to authorize, empower and direct the sheriff and/or tax collector of Craven County to accept county vouchers in payment of taxes, with a favorable report.

By Senator Griffin of Chowan, for the Committee on Commercial Fisheries:

S. B. 276, a bill to amend section 2015 of the Consolidated Statutes of North Carolina, relating to Fishing in Roanoke River, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1.

H. B. 218, a bill to repeal chapter 114, Public-Local Laws of 1925, relative to the enforcement of prohibition law in certain counties, with a favorable report.

S. B. 308, a bill to amend section 4142, Consolidated Statutes of North Carolina so as to direct clerk Superior Court of each county to give notice to devisees and legatees under wills offered for probate, with an unfavorable report.

H. B. 556, a bill to amend section 1589 of the Consolidated Statutes, relating to recorders' courts, with a favorable report.

S. B. 116, a bill to provide for the organization as an agency of the state of North Carolina of the North Carolina State Bar and its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment, with an unfavorable report.

H. B. 221, a bill to provide for the organization as an agency of the state of North Carolina of the North Carolina State Bar, and for its regulation, powers, and government, including the admission of lawyers to practice and their discipline and disbarment, with a favorable report as amended.

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 473, a bill to regulate the departmental service, office hours, leaves of absence and extra compensation, without prejudice, as amended.

H. B. 873, a bill to fix fees and commissions to be charged by the clerk of the Superior Court of Forsyth County and the clerk of the Forsyth County Court, with a favorable report.

H. B. 679, a bill to amend chapter 157 of the Public-Local Laws of 1929, relating to the salaries of the officers of Pamlico County, with a favorable report.

By Senator Grady, for the Committee on Judiciary No. 2:

S. B. 343, a bill to validate official acts of F. N. Roup, justice of the peace of Gap Civil Township, Alleghany County, North Carolina, with a favorable report.

S. B. 334, a bill to amend chapter 647 of the Public-Local Laws 1911, relating to the recorder's court of Thomasville, with a favorable report.

S. B. 286, a bill to repeal chapter 177, Public-Local Laws of 1931 creating a jury and tax commission for Madison County, with a favorable report.

H. B. 794, a bill to prevent drunkenness in Alexander County, with an unfavorable report.

H. B. 779, a bill to amend chapter 90 of the Public Laws of 1921, providing for the speedy trial of summary actions in ejectment, relating to Cabarrus County, with a favorable report.

H. B. 812, a bill to amend section 1864 (a) Consolidated Statutes of North Carolina so as to place certain portions of Onslow County within the provisions of the stock law, with a favorable report.

H. B. 835, a bill to validate the official acts performed between July 24, 1930, and April 29, 1932, by H. K. Ogburn, notary public for Forsyth County, appointed by His Excellency, the Governor of North Carolina, O. Max Gardner, July 24, 1930, with a favorable report.

H. B. 311, a bill to amend chapter 86 of the Public Laws of 1925 and relating to the power of administrators, executors and collectors to renew obligations of estates, with a favorable report.

H. B. 590, a bill to prohibit the carrying or exploding dynamite cartridges and bombs, except for mechanical purposes in Cherokee County, with a favorable report.

H. B. 830, a bill to amend section 4458 of the Consolidated Statutes, relating to public drunkenness in Clay County, with a favorable report.



## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives:

S. B. 339, a bill relating to the extension of time for payment of special assessments levied by the city of Salisbury.

S. B. 258, a bill to amend chapter 6 of the Consolidated Statutes of North Carolina on Bastardy.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Dempsey: S. B. 360, a bill to amend chapter 179, Public-Local Laws, 1931, relating to the salary of the judge and solicitor of the general county court in Wilson County.

Upon motion of Senator Dempsey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Clement: S. B. 361, a bill to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865 and chapter 56, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in State supported institutions of higher learning in North Carolina.

Referred to Committee on Education.

By Senator Hinsdale: S. B. 362, a bill to provide for the investment of the \$400,000.00, in the hands of the State Treasurer, under and by virtue of the provisions of chapter 152, Public Laws of 1927, in farms for working the State's prisoners.

Referred to Committee on Finance.

By Senator Summersill: S. B. 363, a bill to amend section 35, chapter 60, Public Laws, 1931, to provide a procedure for the adjustment and settlement of valid indebtedness of units of local government when in default.

Referred to Committee on Finance.

By Senator Clark: S. B. 364, a bill to amend section 2304 (f) Volume III, of the Consolidated Statutes relating to department for inebriates at the State Hospital at Raleigh, N. C.

Referred to Committee on Judiciary No. 1.

By Senator Walker: S. B. 365, a bill regulating the advertising and sale of bankrupt, receivership, assignment, insolvency, fire, closing out or auction stocks of merchandise in the city of Burlington, Alamance County.

Referred to Committee on Judiciary No. 2.

## ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 54, an act to place a bounty upon the scalps of coyotes, wild cats and crows killed in Macon County.

S. B. 130, an act relating to the election of justices of the peace for the county of Wayne.

S. B. 231, an act to amend chapter 775 of Public-Local Laws of 1913, relating to disorderly conduct and public drunkenness in Mitchell County.

S. B. 260, an act to repeal chapter 176 of the Public-Local Laws of 1927, relative to sale of fireworks or other explosives in Vance County.

S. B. 263, an act relating to appropriation and anticipation of school maintenance and other funds in the city of Burlington.

S. B. 274, an act amending chapter 28 of the Public Laws of North Carolina, extra session, 1924, regulating the compensation of the members of the grand jury of Scotland County.

S. B. 309, an act for the relief of certain citizens of House Creek, Leesville, Barton's Creek and New Light Townships in the county of Wake.

S. B. 321, an act to validate process and proceedings by L. S. Thompson, a justice of the peace of Beaufort County, from August 1, 1930 to January 15, 1933.

S. B. 325, an act to repeal chapter 123, Public-Local Laws, 1921, and chapter 28, Public-Local Laws, 1929, relating to fees of sheriffs for capturing illicit distilleries in Mitchell County.

S. B. 349, an act to permit the sale and use of hog cholera virus in Edgecombe County under certain conditions.

H. B. 247, an act to repeal chapter 283, Public-Local Laws, session of 1931, relating to pay of county commissioners of Columbus County.

H. B. 294, an act to amend chapter 498, Public-Local Laws of 1923, relating to salaries of Brunswick County officials.

H. B. 451, an act to amend section 2808, Consolidated Statutes of North Carolina, relating to collection of water rents.

H. B. 530, an act to establish a boxing commission for the town of Belmont in Gaston County.

H. B. 543, an act to authorize and empower the board of county commissioners of Graham County to purchase the Graham County Bank building and take over all other real estate and assets of said bank, collect same, and apply the proceeds thereof to the indebtedness due by Graham County Bank to Graham County.

H. B. 544, an act to repeal the absentee ballot law for Yadkin County, North Carolina.

H. B. 547, an act to create the office of deputy township constable for Waynesville Township, Haywood County.

H. B. 584, an act to reduce the salary of the mayor of the city of New Bern.

H. B. 588, an act to repeal chapter 17, and chapter 126, of the Public Laws of the session of 1929, relating to establishment of recorder's court in Burke County; and to repeal chapters 422 and 335 of Public Laws of the session of 1931, relating to the general county courts in Burke County.

H. B. 600, an act to repeal sections 7, 8, 9, and 10 of chapter 415, Public-Local Laws, 1927, relating to salaries of the officers of Martin County.

H. B. 798, an act to allow counties and other units to invest in bonds of their said unit.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 308, a bill to prohibit the levying of any tax upon tangible property of any kind for State purposes and especially repealing the present fifteen cent tax levy by the State for schools.

Referred to Committee on Finance.

H. B. 317, a bill to prohibit seining and trapping fish in Dan, Mayo and Smith Rivers in Rockingham and Stokes counties.

Referred to Committee on Fish and Fisheries.

H. B. 651, a bill for the relief of Roy G. Walker, ex-sheriff of Davie County, authorizing the collection of back taxes due said sheriff.

Referred to Committee on Finance.

H. B. 700, a bill to regulate the speed of boats on White Lake in Bladen County.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second reading.

Upon objection of Senator Barker to its third reading the bill remains upon the Calendar.

H. B. 751, a bill repealing section 3, chapter 48, Public-Local Laws of 1931, placing the sheriff of Madison County on fees.

Referred to Committee on Salaries and Fees.

H. B. 763, a bill to amend chapter 255 of the Public-Local Laws of 1923, as amended by chapter 347 of the Public-Local Laws of 1923, relating to the salaries of the register of deeds and the clerk of the court of Franklin County.

Referred to Committee on Salaries and Fees.

S. B. 278, a bill to amend the charter of the city of Winston-Salem, being "chapter 232, Private Laws of 1927, and chapter 51, Private Laws of 1931," relating to the city of Winston-Salem," for concurrence in the House amendment.

Placed upon the Calendar.

H. B. 289, a bill to amend chapter 450, Public-Local Laws, regular session of General Assembly 1931, relating to fishing in Tennessee River.

Referred to Committee on Fish and Fisheries.

H. B. 800, a bill regulating the fee for capturing stills in Sampson County.

Referred to Committee on Salaries and Fees.

H. B. 804, a bill to fix the compensation of jurors in Durham County.

Referred to Committee on Judiciary No. 2.

H. B. 811, a bill to amend House Bill 90, entitled "an act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County to chapter 273, Public Laws 1929, relating to the punishment of makers of worthless checks, and to amend the said law," ratified February 8, 1933.

Referred to Committee on Judiciary No. 1.

H. B. 831, a bill to fix the salaries of the officers of Clay County and to place the same on a fee basis beginning the first Monday in December, 1934.  
Referred to Committee on Salaries and Fees.

H. B. 764, a bill to amend chapter 291 of the Public-Local Laws of 1931, for the reduction of the salary of the sheriff of Franklin County.

Referred to Committee on Salaries and Fees.

H. B. 825, a bill to amend chapter 372, Public-Local Laws of 1931, relating to notices of public sales and foreclosure sales in Hyde County and Gates County.

Referred to Committee on Judiciary No. 2.

H. B. 826, a bill to repeal section 17 of chapter 142 of Public-Local Laws 1927, the same being "an act regulating justices of the peace in Buncombe County."

Referred to Committee on Judiciary No. 1.

H. B. 840, a bill for the relief of property owners in the Mattamuskeet Drainage District.

Referred to Committee on Finance.

H. B. 855, a bill to amend chapter 61, Public-Local Laws 1929, relating to the salaries of the officers of Moore County.

Referred to Committee on Salaries and Fees.

H. B. 846, a bill to amend chapter 490, Private Acts of the General Assembly 1907, so as to permit police officers of the town of Denton to serve process one mile beyond the limits of the town of Denton.

Referred to Committee on Judiciary No. 2.

H. B. 848, a bill to amend the charter of the city of Lexington and validate certain acts of the city of Lexington.

Referred to Committee on Judiciary No. 2.

H. B. 852, a bill to fix the amount of the official bond of the clerk of the Superior Court of Yancey County.

Referred to Committee on Judiciary No. 1.

H. B. 861, a bill to amend the charter of the town of Morehead City, so as to provide for the election of chief of police.

Referred to Committee on Election Laws.

H. B. 875, a bill to validate certain sales of land for taxes and certificates issued in pursuance thereof in Pasquotank County and Elizabeth City.

Referred to Committee on Finance.

H. B. 888, a bill to provide for the collection of taxes in the city of Wilmington, town of Carolina Beach and County of New Hanover.

Referred to Committee on Finance.

H. B. 889, a bill to place the officers of New Hanover County upon a salary basis and to fix the salaries of the city commissioners including the mayor.

Referred to Committee on Salaries and Fees.

H. R. 890, a joint resolution endorsing the three pending world court treaties.

Referred to Committee on Federal Relations.

H. R. 893, a joint resolution inviting the Governor to address the General Assembly.



Upon motion of Senator Moore, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 915, a bill to provide for the completion of the extended term in the various special tax school districts in Beaufort County.

Upon motion of Senator MacLean, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 289, a bill to amend the charter of the city of Hickory by extending its corporate limits, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hartsell, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Sparger, Summersill, Walker, Waynick—39.

The bill is ordered sent to the House of Representatives.

S. B. 290, a bill to amend the charter of the city of Hickory by providing for the re-assessment of street improvement liens, etc., upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hartsell, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Sparger, Summersill, Walker, Waynick—39.

S. B. 319, a bill to authorize Wayne County to assume certain school building and equipment bonds of school districts in said county, upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hartsell, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Sparger, Summersill, Walker, Waynick—39.

H. B. 816, a bill relating to payment of indebtedness of special and special charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in McDowell County, upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan,

Griffin of Franklin, Hairfield, Hartsell, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Sparger, Summersill, Walker, Waynick—39.

S. B. 150, a bill to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Mitchell and Avery counties.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 273, a bill amending chapter 117 of the Public-Local Laws of North Carolina, session 1921, regulating the fees of the sheriff of Scotland County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 314, a bill exempting the Wesley Ellis Post, American Legion, from paying special or privilege tax to town corporation or Mitchell County for sponsoring picture shows or other forms of entertainment.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 160, a bill to repeal chapter 38 of the Public-Local Laws of 1929, relating to the capture of stills in Yancey County.

Passes its second and third readings and is ordered enrolled.

H. B. 275, a bill to repeal chapter 15 of the Public-Local and Private Laws of 1923, being "An act to prohibit the sale or use of fireworks in Currituck and Cherokee counties, in so far as the same applies to Cherokee County."

Passes its second and third readings and is ordered enrolled.

H. B. 411, a bill requiring the storeroom keeper of Buncombe County to file a report of all disbursements in the office of the clerk of the Superior Court. The amendment offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 467, a bill to allow the board of aldermen of the town of Brevard to extend the time for payment of street assessments in said town.

Passes its second and third readings and is ordered enrolled.

H. B. 470, a bill to provide for the payment of municipal street assessments in installments in the town of Enfield.

Passes its second and third readings and is offered enrolled.

H. B. 501, a bill relating to the duties of the State Farm Demonstration Agent in Northampton County.

Passes its second and third readings and is ordered enrolled.

H. B. 571, a bill repealing chapter 183 of the Public-Local Laws of North Carolina, extra session of 1924 and regulating the fees of the clerk of the Superior Court of Scotland County.

Passes its second and third readings and is ordered enrolled.

H. B. 609, a bill fixing the fees of the justices of the peace of Caswell County.

Passes its second and third readings and is ordered enrolled.

H. B. 663, a bill to repeal chapter 799 of the Public-Local Laws of North Carolina, relating to costs in the courts of the justices of the peace of Buncombe County.

Passes its second and third readings and is ordered enrolled.



H. B. 670, a bill to amend chapter 42, Public Laws 1927, relating to rewards for the capture of stills in Union County.

Passes its second and third readings and is ordered enrolled.

H. B. 687, a bill to amend chapter 82, Public Laws of 1931, relating to the salary of the county accountant of Union County.

Passes its second and third readings and is ordered enrolled.

H. B. 713, a bill fixing the salaries and fees of the officers of Alexander County, abolishing the office of tax collector and the recorder's court of said county.

Passes its second and third readings and is ordered enrolled.

H. B. 715, a bill to extend the time for payment of street assessments in the town of Aulander, North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 767, a bill to exempt Hertford, Bertie and Hyde counties from the provisions of section 2532 of the Consolidated Statutes, regulating tolls by public millers.

Passes its second and third readings and is ordered enrolled.

H. B. 769, a bill to suspend the collection of special school taxes in the Peachtree Public School District of Cherokee County for the period of two years.

Passes its second and third readings and is ordered enrolled.

H. B. 796, a bill to permit the commissioners of the town of East Bend or the trustees of the East Bend Baptist Church, Yadkin County to remove bodies to the Benbow Chapel colored cemetery.

Passes its second and third readings and is ordered enrolled.

H. B. 805, a bill to provide for the regulation of peddlers in the city of Charlotte, North Carolina.

Upon motion of Senator Kirkpatrick, the bill is re-referred to the Committee on Judiciary No. 2.

S. B. 333, a bill to amend the preamble and the several sections of the Constitution of North Carolina.

Senator Dunagan offers an amendment.

Senator Hinsdale moves that the bill be considered section by section.

The motion fails to prevail.

Upon motion of Senator Waynick, the bill is made a special order for Tuesday, March 14.

S. B. 340, a bill to amend section 2650 of the Consolidated Statutes of North Carolina and to provide that municipal elections shall be held on Tuesday after the first Monday in June, upon third reading.

Senator Blackstock offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered engrossed.

Upon motion of Senator Clark, the Senate adjourns to meet tomorrow morning at 10:00 o'clock and only public-local laws to be considered.

## FIFTY-EIGHTH DAY

SENATE CHAMBER,

SATURDAY, March 11, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Theodore Patrick, Church of the Good Shepherd of Raleigh, N. C.

Senator Francis for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senator Kelly E. Bennett.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hinsdale, for the Committee on Judiciary No. 1.

S. B. 207, a bill to add to the standards of capacity measure the one-third quart and legalizing its use, with a favorable report.

S. B. 358, a bill to authorize governing bodies of counties and municipalities to contract for the purpose of carrying on administrative functions at joint expense, with a favorable report.

H. B. 179, a bill authorizing the commissioners of Currituck County to appoint a prosecuting attorney for said County, with a favorable report, as amended.

H. B. 425, a bill to amend chapter 72, Public Laws of 1931, amending section 1659 of the Consolidated Statutes; relative to grounds for absolute divorce, with an unfavorable report, and minority report filed.

H. B. 438, a bill to provide for the mortgage or sale of estates held by the entireties where the wife or the husband or both may become mentally incompetent, with an unfavorable report.

H. B. 607, a bill denying the right of jury trial in the Superior Courts of Bertie County in criminal causes in cases appealed thereto from the general court of said county in those cases in which a jury trial has been had in said general county court and providing that such appeals shall be heard on cases stated as now provided in appeals from said county in civil causes, with an unfavorable report.

H. B. 811, a bill to amend House Bill 90, entitled "An act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County Wayne County to chapter 273, Public Laws, 1929, relating to the punishment of makers of worthless checks, and to amend the said law," ratified February 8, 1933, with a favorable report.

H. B. 813, a bill to provide for stay of execution in cases where motion for new trial is made after affirmance of conviction, by the Supreme Court, with an unfavorable report.



## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed, and they are ordered sent to the House of Representatives:

S. B. 340, a bill to amend section 2650 of the Consolidated Statutes of North Carolina and to provide that municipal elections shall be held on Tuesday after the first Monday in June.

## ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 293, an act relating to the payment of street improvement assessments in the town of Selma.

S. B. 328, an act to appoint the county accountant of Catawba County as tax collector.

S. B. 350, an act to make available to the various counties and school districts the allotments made from the tax reduction fund irrespective of the amount of ad valorem taxes collected.

H. B. 483, an act relating to the salaries of the officers of Bertie County.

H. B. 856, an act relating to the Superior Courts of Nash County.

H. R. 893, joint resolution inviting the Governor to address the General Assembly.

## PETITIONS AND MEMORIALS

A petition of citizens of Caldwell County, relative to taxation and legislation is presented by Senator Hairfield and referred to the Committee on Finance.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 162, a bill to repeal the dog law as it applies to Swain County.

Upon motion of Senator Francis, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 201, a bill to repeal chapter 134, Public-Local Laws, 1927, relating to enforcement of the prohibition law in Cherokee County.

Referred to Committee on Judiciary No. 1.

H. B. 490, a bill to amend chapter 358, Public-Local Laws of 1927, as amended by chapter 133, Public-Local Laws of 1931 relative to the enforcement of the Turlington Act in Franklin County.

Referred to Committee on Judiciary No. 1.

H. B. 552, a bill for the relief of C. D. Sawyer, tax collector for the town of Robbinsville, Graham County, authorizing the collection of back taxes.

Referred to Committee on Finance.

H. B. 698, a bill to amend chapter 431 of Public-Local Laws of 1927 and chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of Game Commissioners.

Referred to Committee on Game Laws.

H. B. 824, a bill to repeal chapter 532, Public-Local and Private Laws of 1927, the same being, "An act to provide for better enforcement of the prohibition law in Polk and Transylvania counties."

Referred to Committee on Judiciary No. 1.

H. B. 841, a bill to authorize the commissioners of Caswell County to levy a special tax for the support of the poor, the maintenance of county health work and for running the courts of said county.

Referred to Committee on Finance.

H. B. 865, a bill to amend chapter 651 of the Public Laws of 1909, as amended, relating to the municipal court of the city of Greensboro.

Referred to Committee on Courts and Judicial Districts.

H. B. 880, a bill providing for renewal of notes and mortgages due Columbus County.

Referred to Committee on Finance.

H. B. 885, a bill to make the provisions of section 1864 of Volume III, of the Consolidated Statutes, relating to depredations of domestic fowls applicable to Clay County.

Referred to Committee on Propositions and Grievances.

H. B. 894, a bill to pay the expenses of the committee from the Senate and House of Representatives visiting the State School for the Deaf at Morganton.

Referred to Committee on Appropriations.

H. B. 897, a bill to permit the commissioners of motor vehicles to advance the date for the reduction in motor vehicle taxes now provided for April 1, 1933.

Referred to Committee on Finance.

S. B. 262, a bill creating the office of tax collector in Cumberland County for concurrence in the House amendment.

Placed upon the Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 343, a bill validating official acts of F. N. Roup, justice of the peace of Gap Civil Township, Alleghany County, North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 679, a bill to amend chapter 157 of the Public-Local Laws of 1929, relating to the salaries of the officers of Pamlico County.

Passes its second and third readings and is ordered enrolled.

H. B. 812, a bill to amend section 1864 (a), Consolidated Statutes of North Carolina, so as to place certain portions of Onslow County within the provisions of the stock law.

Passes its second and third readings and is ordered enrolled.



H. B. 842, a bill to authorize the governing body of the town of Spencer to extend the time for payment of street and sidewalk assessments and to compromise claims therefor for less than the amount of such assessments.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Francis, H. B. 619, a bill to provide for an election on what shall constitute a lawful fence in Graham County, is taken from the unfavorable Calendar and re-referred to the Committee on Propositions and Grievances.

Upon motion of Senator Bell, the Senate adjourns to meet Monday night at 8:00 o'clock.

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### FIFTY-NINTH DAY

SENATE CHAMBER,

MONDAY, March 13, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. R. K. Davenport, North Vanguard Presbyterian Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

#### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. C. B. Ehringhaus:

March 13, 1933.

HON. A. H. GRAHAM,  
*President of the Senate,*  
*Raleigh, N. C.*

DEAR MR. PRESIDENT:

Pursuant to Joint Resolution No. 893, inviting the Governor to address the General Assembly at his pleasure, I beg to advise that I desire to address the General Assembly this evening at eight o'clock.

Respectfully,

J. C. B. EHRLINGHAUS,  
*Governor of North Carolina.*

Upon motion of Senator Clement, the President appoints as a Committee on the part of the Senate to act with a like Committee on the part of the House of Representatives to escort the Governor to the Hall of the House, Senators Francis and Barker.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES,

March 13, 1933.

*Mr. President:*

Pursuant to Joint Resolution heretofore ratified, and at his request, the House of Representatives awaits the coming of the Senate for Joint Session, to receive a message in person from His Excellency, the Governor. For your information, the Speaker has appointed as Committee on the part of the House to act with Committee on the part of the Senate to escort the Governor to the Hall of the House, Messrs. Johnson of Pender, Makepeace and Culpepper.

Respectfully,

THAD EURE,

*Clerk of the House.*

Upon motion of Senator Clement, the Senate preceded by its officers repairs to the Hall of the House of Representatives, there to sit in Joint Session with that Honorable Body.

## JOINT SESSION

The Senate is received by the members of the House of Representatives standing and the Joint Session is called to order by Lieutenant-Governor A. H. Graham.

Mr. Johnson of Pender County, on the part of the Committee appointed by the President of the Senate and the Speaker of the House to escort His Excellency to the Hall of the House, presents Governor J. C. B. Ehringhaus, who delivers the following message:

*Mr. President, Mr. Speaker, and Members of the General Assembly:*

Last week I suggested to you my desire to come before you, and in this connection asked that you postpone the consideration of your revenue and appropriation bills for a brief season. At the time the country was in the midst of the greatest banking crisis of this generation, and until this situation had clarified itself it seemed inadvisable to take up these matters. Happily, the national crisis seems now well in hand and we are apparently on the road to the restoration of normal banking activities. In this connection, it is pleasant to recall that North Carolina was the last of the States to go on a holiday, which is the surest indication of the essential soundness of her banking structure. Through the emergency banking legislation which has been recently proposed and promptly enacted by you, we have been able as well, to keep exactly abreast of the developing national situation and not only coördinate our efforts with those of the Federal Government, but avoid the confusion which has existed in some other commonwealths. With this behind us, and with the increasing spirit of optimism and confidence which pervades the country, we can turn our attention to our own immediate problems.

My coming before you now has in it no purpose to coerce but only a sincere desire to help you in solving the difficult problems which still perplex us and which hold you in session beyond the usual time. It has been de-



layed not by want of willingness to express my views, but in order to give full opportunity for the development of yours, and only the manifestly increasing divergence of these and the importance of an early adjustment have brought me to the point where it seemed advisable that I again address you. For however inconvenient and distressing it may be, the duty to see this thing through and see it through now rests upon every one of us. It is the task to which we were called, the work which we voluntarily assumed, the trust that a popular mandate has imposed upon us. It can neither be delegated nor deserted. It is relentless in its demands for immediate and patriotic consideration.

In my inaugural message I attempted to direct your attention to the necessity for a balanced budget and stern economy. In aid of this I endeavored to point out certain possibilities in readjustments and consolidations. Your attention was also invited to the whole field of governmental activities, to the end that all possible might be done in the way of eliminating unnecessary expenditures and the avoidance of new taxes. Through your committees and as individuals you have given much thought and effort to this enterprise, and, as a result, certain outstanding legislation along this line now is on our statute books.

The work of your Appropriations Committee, the original Budget Commission Appropriation Bills and the substitutes prepared by some of your prominent and diligent members, along with various programs for balancing the budget, are all now before you. You have as well various suggestions for supplementing the diminishing revenues of the State, with all of which your membership is thoroughly familiar and with regard to which, in most instances, opinions are well developed and members ready to vote. Perhaps it would not be amiss to endeavor for a moment to get our bearings, or rather to restate the problems we face.

Our debt-service requirements for each of the next two years, exclusive of any payment on our accumulated current deficit, will exceed four and a quarter million dollars. If we are to prepare to retire the deficit in ten years, as is usual in such cases, an additional million would be expected.

Our departmental and institutional expenditures have been greatly reduced from the peak of about nine millions, but on the basis of your Appropriations Committee's recommendation (after a reduction of over 25 per cent under last year's spending and nearly 60 per cent under peak spending) still require about five millions. Our annual and irreducible burden of highway bond maturities and interest thereon aggregates approximately nine millions, which, when deducted from a reasonably estimated highway revenue of fifteen to sixteen millions, leaves from six to seven millions, at the outside, to maintain our 55,000 miles of State highways and county roads and do the work that heretofore has required nine to ten million dollars. In view of the monthly decline in gasoline revenue since last July and the terrific falling off in the automobile license issues, there is no substantial hope of realizing the seventeen millions used as the basis of certain programs, and certainly none of having any substantial surplus which could be diverted to other usage, even if such were proper or desirable. And when we recall that there is in the highways an investment of some two hundred millions which inadequate maintenance would seriously and immediately jeopardize—that

a few months neglect could really cause a loss of many millions—the futility as well as the folly of expecting help for other activities out of the highway fund is manifest. Frankly, any cutting of maintenance below the level of your Appropriations Committee's provision involves a serious threat to this great investment and activity of the State, and I again urge that this Assembly move slowly and cautiously along this line and refrain from taking a step which might work an irretrievable hurt and an inestimable loss.

The obligation to maintain our schools arises out of the Constitution, the fundamental law that governs us all. You will find it set forth not only in the declaration of rights, but in the opinion of our fathers education was of sufficient importance to demand a special article (Article IX) in the Constitution. Here the duty to provide "by taxation and otherwise for a general and uniform system of public schools wherein tuition shall be free" is mandatorily placed upon the General Assembly, and the further provision that certain schools "shall be maintained at least six months in every year" is here written.

Our six-months term cost the State last year, in direct provision, approximately sixteen and a half millions. This does not include, of course, the aid to extended term given by the State, for which one and a half millions were appropriated and \$875,000 actually expended. Prudent estimates indicate that our present revenue bills, exclusive of the 15-cent levy which we are pledged and in honor bound to relieve, would yield approximately sixteen millions. An estimate beyond this is, in my judgment, too high, as not making sufficient allowance for shrinkage, particularly in income and franchise yields. The highway possibilities, as already noted, should be cautiously placed at fifteen millions. There is no reasonable possibility of recoupment from this fund, even if it were desirable or consonant with our past pledges. Your Finance Committee bills, exclusive of sales tax provisions, after careful checking, I am informed, cannot be prudently counted upon to yield in excess of seventeen millions. How, then, without a sales tax or some equivalent income producer, is the prudently estimated revenue total of thirty-one millions under present, and thirty-two millions under proposed revenue bills, to meet, exclusive of schools and road maintenance, revenue necessities of four and a quarter millions for debt service, five millions for departments and institutions, nine millions for highway debt service, and one million for application to our accumulated deficit—a total of nineteen and a quarter millions? Deducting this nineteen and a quarter from the two revenue proposals, leaves a balance available for schools and road maintenance under the present law of eleven and three-quarter millions, and under the committee bills of twelve and three-quarter millions, and nothing whatsoever left as a cushion or safety margin to absorb any shrinkage that the times may reasonably be anticipated to develop. This is highly essential in any plan of sound and assured budget balancing. It would seem that without the sales tax provisions, and upon the basis even of their scant provision, each and every plan of budget balancing so far proposed is headed towards another deficit.

A moment's consideration of these figures makes manifest, also, the impossibility of balancing our budget without additional revenue in substantial sum or doing one or more of the following things, namely: crucifying the



credit of the State by failing to provide funds to meet its bond maturities; crucifying the schools by providing only skeleton six-months term and assuring thereby the collapse of our educational structure; crucifying the highway system of the State; or crucifying the various State institutions and necessary departmental activities of the State.

Let us not deceive ourselves. There isn't anybody who seriously thinks the credit of the State can be maintained by ignoring, as some propose, our maturing obligations, general or highway, or that the Executive could, under such circumstances, float a bond issue covering our present deficit, much less accomplish refunding of those so neglected. We would pay the price and suffer the penalty of such default for generations. There isn't anybody who seriously thinks the 55,000 miles of State highway and county roads can be maintained on much less than the Appropriations Committee's provisions for this work. There isn't anybody who seriously thinks the schools can be maintained in any sort of efficiency, even for six months, on the starvation wage of ten million dollars, or that the abandonment of extended term levies without State provisions does not mean a complete breaking down of our educational system and the crucifixion of child opportunity in North Carolina. There isn't anybody who seriously thinks that the State departments and institutions, which for weeks since your assembling have been subjected to severest examination and scrutiny, can adequately function on less than the committee bill provides.

My friends, we are facing a collapse of our highway, educational, institutional, and governmental activities. We cannot ignore the challenge to preserve them; we cannot forget the constitutional obligation that rests upon us to "carry on."

I believe in economy—drastic, rigid economy. I have preached it. I have practiced it. I shall continue to advocate it. I shall continue to stand against wastefulness and extravagance in any activity. But there is a point, even in economy, beyond which self-respecting government cannot go. For to do so means not merely an abdication of its functions, but social bankruptcy, collapse of morale, and repudiation of our constitutional, social, and political obligations. Government must make reasonable provision for the activities contemplated by its Constitution, or it surrenders and invites the scorn and contumely of its citizens and the world at large.

We are not dealing here with the loss of homes and firesides through tax foreclosures. We are doing and will continue to do everything possible to prevent these; and this Legislature has made substantial strides in that direction. Indeed, the plan hereinafter proposed will afford the greatest relief ever given by government to property owners and the broadest protection against foreclosures through abandonment of heavy taxes against them. We are simply facing a terrific emergency and the manifest necessity for the levy of some new taxes if the schools and the State's credit are to be saved from utter wreckage. A six months term with no chance for extension is a poor educational opportunity at best; inadequately financed, it is a delusion, a snare, an utterly unjustifiable waste and extravagance.

Again, a very few thousands, which in the general scheme of economy amount to little, may bridge the boundary between life and death—may prove

the salt that will save the University, the Board of Charities and Public Welfare, and kindred activities.

In such dilemma our thoughts turn naturally to the sales tax field as the one most usually discussed. If you know of a better way through which a sufficiency of revenue may be produced, and which will not destroy our homes or cripple our activities, in the language of the street, "Go to it!" Frankly, under our present constitutional limitations, I do not. The prerogative of choosing methods, however, is yours. I can only beg that you follow the one which in your judgment will rest less heavily on the lives, the habits, and the activities of our people. My concern is adequate though economical provision and an unmistakably balanced budget.

You will permit me in passing to observe that I am quite sincere in saying that I loathe either form of sales tax, but I love the honor and credit of my State and the maintenance of its self-respect more even than I dislike such impositions. There are some things more odious, more undemocratic, more objectionable even, than this form of taxation. They at least have the virtue of universal application and something of relation to ability to pay, if spending has reasonable relationship to income.

In campaign declarations on this question I have invariably coupled my opposition to such taxes with the statement that they were justifiable only as temporary and emergency measures, to save the credit of the State or keep going its essential activities. That moment has apparently arrived. If it is a choice between a sales tax on the one hand and a decent school on the other, I stand for the school. God helping me, I can do no otherwise.

Besides, we have secured credit extensions to the State under the assurance of budget balancing beyond cavil or dispute. Our good faith is pledged; budget balancing is imperative. The suggestion that in such insistence we are worshipping a fetish is unwarranted; we do but indulge the honorable impulse to make reasonable effort to pay our debts. Surely there is no disgrace in this. It is the other road which leads to shame and dishonor.

Having seen that some form of sales tax, or other new tax providing substantial yield, is inevitable if we are to discharge our obligations to the essential activities of the State (including an adequately financed six-months term) and save its credit, I am impressed that an opportunity is here presented which this General Assembly cannot afford to ignore, and I have come unhesitatingly to that conclusion.

I earnestly beg, therefore, that this Legislature establish a State wide uniform State-controlled school system; that you abolish immediately all local levies for extended terms and all special tax and charter districts save only for debt service; that you appropriate for the conduct of this school such sum as will make, on a basis of real economy in administration and conduct, reasonable provision for it; that you set up a board with wide and plenary powers that will administer this fund so as to carry on in North Carolina a school for a full eight-months term, or as near it as the funds available will permit; and that this fund, as all others, be subject to budgetary cuts if revenue realizations should not match expectations.

This board should be vested with ample powers to work out economies in curricula, teacher load, regulation of repeaters, and other similar administrative matters, in order that our people may be provided with the very best



schools our presently limited resources will permit and our constitutional obligations may be discharged.

It is my sincere belief, and in this opinion I am supported by many who have carefully studied this question, that, with the savings and economies I have in mind, this can be done on an appropriation which is comparatively little—roughly, ten or eleven per cent—above the fourteen million fifty thousand dollars provision of the original budget bill for school aid and considerably below not only the provision of the last Legislature for State aid to schools, but also below the actual spending last year in aid of the six-months term under that bill, which totaled sixteen million three hundred and seventy-five thousand dollars.

Such a step would immediately relieve property, not only of the 15 cent levy (which is our solemn pledged and inescapable duty), but also of an additional average of 20 cents for a total average of 35 cents, and would thus work a saving not only of millions to the State government, but also of more millions—approximately seven million—to the counties, cities, towns and districts by the elimination of all special-tax levies for school support. It would be the greatest economy, the most constructive and far-reaching step in behalf of our people and in relief of their homes and farms, afforded any people in modern times; would place North Carolina in the forefront of states, not only in accomplished economies and ad valorem relief, but in the field of education as well; would afford an infinite relief to the property owners throughout the State from the spectre of tax foreclosures so constantly haunting them, and would give also a breathing spell to our presently burdened business activities. Everyone would share in the benefit. Even the merchant, through relief of his stocks from ad valorem levy, would profit infinitely more than he could possibly lose in any necessity to absorb a part of the new tax levy. At least, too, even if budgetary cuts should later prove necessary, we could preserve the skeleton of an eight-months term and the child opportunity which our Constitution, our traditions, and our political promises contemplate.

To the suggestion that a new tax can be avoided by further slashing of appropriations, I would say that we could save more money by closing down all operations and activities; but what would become of our self-respect, and how could we square such action with the obligation to maintain, which our Constitution imposes? And the curtailment of provision below a certain point means, in almost every case, an inadequate functioning, which is waste. And if it be said that a sales tax, if such should be adopted, will bring a storm of protest, I would observe that so far the protest has come largely not from those who will pay, but from those who in the main will only collect. We can take steps to see that the fullest possible opportunity to pass on the tax is provided, and the relief which this class will receive under ad valorem abandonment will more than compensate for the part which it will be compelled to absorb.

I can see the possibility of a mistaken judgment, but I think I know the hearts of our people. Just now they are burdened and sorely oppressed primarily with property taxes. We are proposing to relieve these. I am one of those who think that if their homes are secured they will proudly pay their pennies rather than permit the destruction of that which is near and dear to their hearts, namely, their children's opportunity. Be assured also that the storm of such protest will be as nothing compared to the storm which the

failure to provide will assuredly provoke, if not now, then very soon—a storm whose relentless waves will be beating upon our political fortunes for years to come.

There is another side to this proposal, which to me is particularly appealing. Here is a real chance to establish in our schools that equality of opportunity between the city and the country boy and girl of which we “long have dreamed and oft despaired of.”

And lastly, we may as well face the facts. The present system of extended terms through ad valorem tax has completely broken down. It cannot continue through this year, much less the year to follow, and unless the system here proposed is adopted the educational structure of our State will collapse.

I have been told that the cause for which I speak is dead; that the fight is already lost in this General Assembly. I do not believe it. Those who so express themselves mistake the temper of its advocates and the views of the great rank and file of the people throughout the State. We who would preserve our essential institutions and activities are not alarmed. We have not yet begun to fight. The people will rally to our support, and our cause will triumph.

We are facing a new day. The country, which for so long has staggered under a terrific depression, has now, under the exalted and inspiring leadership of our President, set its face towards the rising sun. The optimism which is becoming increasingly widespread has even suggested in some quarters the possibility of an extra session in the future to keep step with the advancing prosperity. In the tasks which confront you in this General Assembly there is challenge to our capacities, our courage, and our patriotism. We must, of course, practice a diligent enterprise towards economy, but let us not surrender to a philosophy of fear or adopt a demeanor of despair and defeatism. These problems are not of our creating. Perhaps we had nothing to do with the making of the debts which now weigh heavily upon us. But ours is the present responsibility to provide, and, please God, we shall measure up to it, and that without neglecting provision for necessary State functions. We cannot all have our way. Legislation necessarily contemplates the submergence and accommodation of conflicting views. I am ready to submerge my own, as this message shows. I am persuaded that in the plan here offered lies real opportunity for early adjustment of opinion differences and a chance to get back to our routine lives.

One thing more and I am through. If a sales tax is levied, it should be levied with the distinct understanding that it is an emergency measure, adopted for the period of the emergency, to save the State's credit and keep going its essential activities. I believe it should be ear-marked for schools, as our highway revenue is ear-marked for road purposes; and with this understanding I have no fears of its ready and cheerful acceptance by our people.

Briefly, my proposals are these:

1. Preserve the credit of the State by balancing the budget, even at the cost of a sales tax; and make sure provision to keep it in balance or prevent an imbalance by making all appropriations subject to budget cuts.
2. Preserve the school opportunity in economy by the provision of a lump sum, with a board to administer it, as hereinbefore pointed out.



3. Preserve the homes of our citizens from the foreclosures which present ad valorem taxes threaten, and reduce the tax load which now weighs heavily upon them, by abolishing special levies for support of extended term.

4. Preserve the highways and our great investment therein from the waste and losses which inadequate maintenance provision would certainly entail.

5. Preserve our institutions and departments from the destruction which too heavy curtailment threatens, to the end that they may continue to serve our citizenship and prepare the youth of our land for better service to the State.

On this rock we shall build our State, and the forces of ignorance, inequality, depression, and despair shall not prevail against it.

At the conclusion of the Governor's Message, upon motion of Senator Fuller, the Joint Session dissolves and the Senate returns to its Chamber.

The Senate resumes consideration of its regular business.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Aiken, for the Committee on Courts and Judicial Districts:

H. B. 565, a bill to amend chapter 520 of the Public-Local Laws of 1915, being "an act to establish a special court for Forsyth County with civil jurisdiction to be known as Forsyth County Court, and the amendments thereto, relating to terms of court," with a favorable report.

H. B. 722, a bill to amend section 1443, Volume III of the Consolidated Statutes, relating to the courts in Avery County, with a favorable report.

H. B. 753, a bill to amend chapter 27, sub-chapter 2 of the Consolidated Statutes, relating to the time of holding a term of the Superior Court and affecting the county of Pender, with a favorable report.

H. B. 566, a bill to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the Western Division, Eleventh District, so as to fix the terms of court for Forsyth County, with a favorable report.

S. B. 272, a bill to fix and determine the October term of Surry Superior Court, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Waynick: S. B. 366, a bill to amend section 1681 of the Consolidated Statutes of North Carolina, relating to payment of damages for injury to person or property by dogs.

Referred to Committee on Finance.

By Senator Francis: S. B. 367, a bill to legalize the sale and manufacture of beers, ales, porter, and/or other light wines containing not more than 3.2 per cent of alcohol by weight, repeal such acts or portions of acts as may be inconsistent herewith, to provide a tax on the sale of the same, provide a means of

collection, and to provide a penalty for the violation of the provisions herein contained.

Referred to Committee on Judiciary No. 1.

By Senator Hinsdale: S. B. 368, a bill to authorize the appointment of deputies and clerks, office force and assistants for the sheriff of the county of Wake and to provide for their compensation.

Referred to Committee on Judiciary No. 1.

By Senators Brown, Burgin and Hill: S. B. 369, a bill relating to corporations for the protection and development of forests under supervision of the State.

Referred to Committee on Conservation and Development.

By Senator Gwyn: S. B. 370, a bill to amend the code of civil procedure, Consolidated Statutes, sections 476, 480, 482, 485 and 487, relating to the issuance, return and publication of process.

Referred to Committee on Judiciary No. 1.

By Senator Gwyn: S. B. 371, a bill to amend section 2591 of the Consolidated Statutes so as to provide for advanced bids in case of sales under execution.

Referred to Committee on Judiciary No. 1.

By Senator Gwyn: S. B. 372, a bill to amend section 2471 of the Consolidated Statutes, relative to the order of payment of liens of materialmen and laborers.

Referred to Committee on Judiciary No. 1.

By Senator Gwyn: S. B. 373, a bill to amend chapter 104, Public Laws of 1909, and chapter 156, Public-Local Laws of 1911, and chapter 324, Public-Local Laws of 1915, and chapter 24, Public Laws of 1931, relative to the recorder's court of Reidsville Township, fixing the salaries respectively of the recorder and solicitor of said court.

Referred to Committee on Courts and Judicial Districts.

By Senator Gwyn: S. B. 374, a bill to amend section 1443 of the Consolidated Statutes, fixing the terms of court in the several counties, this act relating only to the terms of court in Rockingham County.

Referred to Committee on Courts and Judicial Districts.

By Senator Fuller: S. B. 375, a bill to amend chapter 94, Private Laws of 1899, relating to Thompson Institute of Robeson County.

Referred to Committee on Education.

#### PETITIONS AND MEMORIALS

A petition from the citizens and tax payers of Alleghany County protesting against any additional or new form of taxation, is presented by Senator McNeill of Ashe and referred to the Committee on Finance.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 138, an act to prohibit the sale of convict-made goods.

S. B. 230, an act to repeal chapter 99 of Public-Local Laws of 1921, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell and Yancey Counties.



S. B. 310, an act increasing the number of commissioners of Northampton County, and creating five districts for the nomination of said commissioners.

S. B. 326, an act to amend section 730 of the Consolidated Statutes, and chapter 58 of the Public Laws of 1931, permitting deputy sheriffs of Onslow County to lay off homesteads.

S. B. 332, an act to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes.

H. B. 158, an act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes.

H. B. 162, an act to repeal the dog law as applies to Swain County.

H. B. 160, an act to repeal chapter 38 of the Public-Local Laws of 1929, relating to the capture of stills in Yancey County.

H. B. 275, an act to repeal chapter 15 of the Public-Local and Private Laws of 1923, being "an act to prohibit the sale or use of fireworks in Currituck and Cherokee Counties, in so far as the same applies to Cherokee County."

H. B. 411, an act requiring the store-room keeper of Buncombe County to file a report of all disbursements in the office of the clerk of the Superior Court.

H. B. 467, an act to allow the board of aldermen of the town of Brevard to extend the time for payment of street assessments in said town.

H. B. 470, an act to provide for the payment of municipal street assessments in installments in the town of Enfield.

H. B. 501, an act relating to the duties of State Farm Demonstration Agent in Northampton County.

H. B. 571, an act repealing chapter 183 of the Public-Local Laws of North Carolina, extra session of 1924, and regulating the fees of the clerk of the Superior Court of Scotland County.

H. B. 609, an act fixing the fees of the justices of the peace of Caswell County.

H. B. 663, an act to repeal chapter 799 of the Public-Local Laws of North Carolina, relating to costs in the courts of the justices of the peace of Buncombe County.

H. B. 670, an act to amend chapter 42, Public Laws 1927, relating to rewards for the capture of stills in Union County.

H. B. 679, an act to amend chapter 157 of the Public-Local Laws of 1929, relating to the salaries of the officers of Pamlico County.

H. B. 687, an act to amend chapter 82, Public-Local Laws 1931, relating to the salary of the county accountant of Union County.

H. B. 713, an act fixing the salaries and fees of the officers of Alexander County, abolishing the office of tax collector and the recorder's court of said county.

H. B. 715, an act to extend the time for payment of street assessments in the town of Aulander, North Carolina.

H. B. 767, an act to exempt Hertford, Bertie and Hyde Counties from the provisions of section 2532 of the Consolidated Statutes, regulating tolls by public millers.

H. B. 769, an act to suspend the collection of special school taxes in the Peachtree Public School District of Cherokee County for the period of two years.

H. B. 796, an act to permit the commissioners of the town of East Bend or the trustees of the East Bend Baptist Church, Yadkin County, to remove bodies to the Benbow Chapel colored cemetery.

H. B. 812, an act to amend section 1864 (a) Consolidated Statutes of North Carolina, so as to place certain portions of Onslow County within the provisions of the stock law.

H. B. 842, an act to authorize the governing body of the town of Spencer to extend the time for payment of street and sidewalk assessments and to compromise claims therefor for less than the amount of such assessments.

H. B. 915, an act to provide for the completion of the extended term in the various special tax school districts in Beaufort County.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 515, a bill to amend section 109, chapter 427 of the Public Laws of 1931, relative to a license tax on photographers.

Referred to Committee on Finance.

H. B. 707, a bill to amend section 3401, Consolidated Statutes of North Carolina, and section 3411 (x) Volume III of the Consolidated Statutes of North Carolina, relating to awards for seizure of stills so as to exempt Moore County from the provisions of said sections, (applies also to Lenoir County.)

Referred to Committee on Counties, Cities and Towns.

H. B. 922, a bill reducing the fees of certain officers of Gates County.

Referred to Committee on Salaries and Fees.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 290, a bill to amend the charter of the city of Hickory by providing for the reassessment of street improvement liens, etc., upon third reading.

The bill passes third reading, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—43.

The bill is ordered sent to the House of Representatives.

S. B. 319, a bill to authorize Wayne County to assume certain school building and equipment bonds of school districts in said county, upon third reading.

The bill passes third reading, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown,



Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—45.

The bill is ordered sent to the House of Representatives.

H. B. 816, a bill relating to payment of indebtedness of special and special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in McDowell County, upon third reading.

The bill passes third reading, ayes 45, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—45.

The bill is ordered enrolled.

S. B. 278, a bill to amend the charter of the city of Winston-Salem, being chapter 232, Private Laws of 1927 and chapter 51, Private Laws of 1931, relating to the city of Winston-Salem, for concurrence in the House amendment.

Upon motion of Senator Rankin, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 286, a bill to repeal chapter 177, Public-Local Laws of 1931, creating a jury and tax commission for Madison County.

Upon the passage of the bill on its second reading, Senator Dunagan calls for the ayes and noes.

The call is sustained.

Senators Corey and Kirkpatrick explain their vote.

The bill passes second reading, ayes 21, noes 17, as follows:

Those voting in the affirmative are: Senators Blackburn, Bland, Burgin, Corey, Fuller, Grady, Greene, Griffin of Chowan, Gwyn, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Sparger, Walker—21.

Those voting in the negative are: Senators Aiken, Bailey, Barker, Bell, Boggan, Brown, Clement, Cross, Dunagan, Francis, Griffin of Franklin, Hairfield, Hartsell, Hinsdale, Noell, Patton, Summersill—17.

Upon objection of Senator Dunagan to its final passage, the bill remains upon the Calendar.

S. B. 262, a bill creating the office of tax collector in Cumberland County, for concurrence in the House amendment.

Upon motion of Senator McNeill of Cumberland, the Senate concurs in the House amendment and the bill is ordered enrolled.

Upon motion of Senator Grady, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

## SIXTIETH DAY

SENATE CHAMBER

TUESDAY, March 14, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. R. Walker, West Raleigh Presbyterian Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Dr. J. E. Hart and Ex-Senators B. S. Womble and H. L. Swain.

The courtesies of the gallery are extended to Mrs. Hargrove and her seventh grade of the East Lumberton High School, Robeson County.

Upon motion of Senator Dunagan, H. B. 787, a bill to repeal chapter 147 of the Public-Local Laws of 1931 and establishing the office of tax collector and redefining the duties of the sheriff of Polk County and fixing his salary, is taken from the Committee on Salaries and Fees and placed upon the Calendar.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Clement, for the Committee on Appropriations:

S. R. 255, a joint resolution to pay the expenses of the Committee from the Senate and the House of Representatives visiting the State Hospitals at Goldsboro and Morganton, with a favorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Bagley: S. B. 376, a bill to amend chapter 325 of Public Laws of 1929, relating to the certification of pure-bred crop seeds in North Carolina. Referred to Committee on Agriculture.

By Senator Hinsdale: S. B. 377, a bill to provide for special judges in North Carolina.

Referred to Committee on Judiciary No. 1.

By Senator Grady: S. B. 378, a bill relating to the holding of town elections in the town of Smithfield, Johnston County.

Upon motion of Senator Grady, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Blackstock: S. B. 379, a bill relating to the board of county commissioners of Buncombe County fixing their duties.

Referred to Committee on Counties, Cities and Towns.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 819, a bill to establish a consolidated governing body for the city of Durham and Durham County.

Referred to Committee on Counties, Cities and Towns.

H. B. 860, a bill authorizing the town of Morehead City to establish a port commission for the said town, to prescribe the duties of the said commission, and to authorize the said town to coöperate with the said commission in carrying out the purposes and intents of this act.

Referred to Committee on Judiciary No. 1.

H. B. 924, a bill to empower the county commissioners of Nash County to fix the salaries of officers of Nash County.

Upon motion of Senator Griffin of Franklin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 925, a bill to repeal chapter 188, Public-Local Laws 1929, and to amend chapter 521, Public-Local Laws 1921, relating to fees of justices of the peace in Pitt County.

Referred to Committee on Salaries and Fees.

H. B. 927, a bill to authorize the commissioners of Alamance County to reduce salaries of public officers.

Referred to Committee on Salaries and Fees.

H. B. 930, a bill requiring the register of deeds of Jackson County to prepare the tax list and providing the compensation therefor.

Upon motion of Senator Francis, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 932, a bill to protect sheep and other domestic animals from dogs.

Referred to Committee on Agriculture.

H. B. 934, a bill to repeal sections 38, 39, 40, 41 and 42 of chapter 60 of the Public Laws of 1931, in so far as they relate to Greene County, and to relieve the members of the board of county commissioners of Greene County of certain civil and criminal liabilities.

Referred to Committee on Judiciary No. 1.

HOUSE OF REPRESENTATIVES,

*Mr. President:*

MONDAY, March 13, 1933.

It is ordered that a message be sent your Honorable Body, requesting the return of S. B. 117, title, "amending chapter 372 of Public Laws 1931, relating to the method of abolishing special taxes in special tax districts, and providing that the same shall apply to Rowan County," for further consideration by the House.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

Upon motion of Senator Clement, the bill is ordered returned to the House of Representatives.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 272, a bill to fix and determine the October term of Surry Superior Court.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 334, a bill to amend chapter 647 of the Public-Local Laws of 1911, relating to the recorder's court of Thomasville.

Senator Burgin offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 179, a bill authorizing the commissioners of Currituck County to appoint a prosecuting attorney for said county.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 590, a bill to prohibit the carrying or exploding of dynamite cartridges and bombs, except for mechanical purposes in Cherokee County.

Passes its second and third readings and is ordered enrolled.

H. B. 700, a bill to regulate the speed of boats on White Lake in Bladen County, upon third reading.

Passes its third reading and is ordered enrolled.

H. B. 722, a bill to amend section 1443, Volume III of the Consolidated Statutes, relating to the courts in Avery County.

Passes its second and third readings and is ordered enrolled.

H. B. 753, a bill to amend chapter 27, sub-chapter 2 of the Consolidated Statutes, relating to the time of holding a term of the Superior Court and affecting the county of Pender.

Passes its second and third readings and is ordered enrolled.

H. B. 779, a bill to amend chapter 90 of the Public Laws of 1921, providing for the speedy trial of summary actions in ejectment, relating to Cabarrus County.

Passes its second and third readings and is ordered enrolled.

H. B. 799, a bill authorizing the commissioners of Sampson County to retire sinking fund loans with county bonds.

Passes its second and third readings and is ordered enrolled.

H. B. 845, a bill to authorize, empower and direct the sheriff and/or tax collector of Craven County to accept county vouchers in payment of taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 858, a bill to authorize, empower and direct the tax collector of Carteret County to accept county vouchers in payment of taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 859, a bill to allow certain discounts in the payment of delinquent taxes in Morehead City and the county of Carteret.

Passes its second and third readings and is ordered enrolled.



S. B. 286, a bill to repeal chapter 177, Public-Local Laws of 1931, creating a jury and tax commission for Madison County, upon third reading.

Upon the passage of the bill on its third reading, Senator Dunagan calls for the ayes and noes.

The call is sustained.

The bill fails to pass its third reading, ayes 16, noes 26, as follows:

Those voting in the affirmative are: Senator Blackburn, Bland, Burgin, Clark, Corey, Fuller, Grady, Greene, Gwyn, Joyner, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Walker—16.

Those voting in the negative are: Senators Aiken, Bagley, Bailey, Barker, Bell, Blackstock, Blue, Boggan, Brown, Clement, Cross, Dempsey, Dunagan, Efrid, Francis, Griffin of Franklin, Hairfield, Hartsell, Hinsdale, Ingram, McBryde, McDuffee, Patton, Sparger, Summersill, Waynick—26.

Senator Dunagan moves that the vote by which the bill failed to pass its third reading be reconsidered and that that motion do lie upon the Table.

Upon this motion Senator Greene calls for the ayes and noes.

The call is sustained.

The motion prevails ayes 29, noes 13, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Bell, Bland, Blue, Boggan, Brown, Clement, Corey, Cross, Dempsey, Dunagan, Efrid, Francis, Griffin of Franklin, Hairfield, Hartsell, Hinsdale, Ingram, Joyner, McBryde, McDuffee, Moore, Patton, Rankin, Sparger, Summersill, Waynick—29.

Those voting in the negative are: Senators Bagley, Blackburn, Blackstock, Burgin, Clark, Fuller, Grady, Greene, Gwyn, McNeill of Ashe, McNeill of Cumberland, Noell, Walker—13.

H. B. 787, a bill to repeal chapter 147 of the Public-Local Laws of 1931 and establishing the office of tax collector, and redefining the duties of the sheriff of Polk County and fixing his salary.

Passes its second and third readings and is ordered enrolled.

S. B. 333, a bill to amend the Preamble and the several sections of the Constitution of North Carolina.

The amendment offered by Senator Dunagan is adopted.

Senator Griffin of Franklin offers an amendment which fails of adoption.

Senator Clement offers an amendment which is adopted.

Senator Hinsdale offers an amendment which is adopted.

Senator Hill offers an amendment which fails of adoption.

Senators McNeill of Ashe, Summersill and Bailey offer an amendment which is adopted.

Senator Hinsdale offers an amendment which is adopted.

Pending discussion, the bill remains upon the Calendar.

Upon motion of Senator Dunagan, H. B. 603, a bill to amend section 444 of Consolidated Statutes, fixing the time within which an action may be brought to recover from a party purchasing crops on which there is a lien, is taken from the Committee on Salaries and Fees and placed upon the Calendar.

Senator Bailey moves that S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole

State for a term of eight months without the levy of any ad valorem tax therefor, be made a special order for tomorrow.

Senator Gwyn makes a substitute motion that the bill be made a special order for Thursday, March 16.

The substitute motion prevails.

Senator Corey moves that the Senate take a recess to meet tonight at 8:00 o'clock.

Senator Bailey makes a substitute motion that the Senate adjourn to meet tomorrow morning at eleven o'clock.

The substitute motion prevails.

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### SIXTY-FIRST DAY

SENATE CHAMBER,

WEDNESDAY, March 15, 1933.

The Senate meets pursuant to adjournment and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. W. W. Davidson of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Honorable T. D. Bryson, former judge Superior Court.

Upon motion of Senator Hill, H. B. 819, a bill to establish a consolidated governing body for the city of Durham and Durham County, is taken from the Committee on Counties, Cities and Towns and placed upon the Calendar.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin for the Committee on Finance:

H. B. 841, a bill to authorize the commissioners of Caswell County to levy a special tax for the support of the poor, the maintenance of county health work and for running the courts of said county, with a favorable report.

H. B. 897, a bill to permit the commissioner of motor vehicles to advance the date for the reduction in motor vehicle taxes now provided for April 1, 1933, with a favorable report.

H. B. 888, a bill to provide for the collection of taxes in the city of Wilmington, town of Carolina Beach and county of New Hanover, with a favorable report.

H. B. 552, a bill for the relief of C. D. Sawyer, tax collector for the town of Robbinsville, Graham County, authorizing the collection of back taxes, with a favorable report.



H. B. 579, a bill authorizing the board of county commissioners of Jackson County to assume certain bonded indebtedness of Dillsboro township, with a favorable report.

H. B. 198, a bill to authorize county authorities to revalue property for taxation in certain cases, with a favorable report.

H. B. 651, a bill for the relief of Roy G. Walker, ex-sheriff of Davie County, authorizing the collection of back taxes due said sheriff, with an unfavorable report.

H. B. 515, a bill to amend section 109, chapter 427, of the Public Laws of 1931, relative to a license tax on photographers, with an unfavorable report.

S. B. 10, a bill to provide a method for the readjustment of indebtedness of counties and municipalities with creditors and holders of securities, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 363, a bill to amend section 35, chapter 60, Public Laws, 1931, to provide a procedure for the adjustment and settlement of valid indebtedness of units of local government when in default, with a favorable report as amended.

By Senator Burgin, for the Committee on Conservation and Development:

S. B. 369, a bill relating to corporations for the protection and development of forests under the supervision of the State, with a favorable report.

By Senator Griffin of Chowan, for the Committee on Education:

S. B. 375, a bill to amend chapter 94, Private Laws of 1899, relating to Thompson Institute of Robeson County, with a favorable report.

H. B. 107, a bill to consolidate the office of superintendent of public welfare with the office of county superintendent of schools in Cleveland County, with a favorable report.

H. B. 458, a bill to amend chapter 60 of the Public-Local Laws of 1929, relating to the nomination of members of the board of education of Camden County, with a favorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 762, a bill to amend the charter of the town of Bessemer City, with a favorable report.

H. B. 785, a bill to repeal the charter of the town of Rutherford College, Burke County, with a favorable report.

#### REPORT OF SPECIAL COMMITTEE

Senator Kirkpatrick, for the Special Committee appointed to investigate and submit data and findings in reference to cost to fireproof the main building of the State Prison, submits the report of the Committee.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 334, a bill to amend chapter 647 of the Public-Local Laws of 1911, relating to the recorder's court of Thomasville.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Brown: S. B. 380, a bill to amend chapter 2532, Consolidated Statutes of North Carolina, relating to tolls by public mills in Pender County.

Upon motion of Senator Brown, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Dunagan: S. B. 381, a bill to provide for funding and refunding of debts of local units of government other than counties, cities and towns:

Referred to Committee on Finance.

By Senator Dunagan: S. B. 382, a bill to amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds.

Referred to Committee on Finance.

By Senator Dunagan: S. B. 383, a bill to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the local government act, being chapter 60 of the Public Laws of 1931; to amend the municipal Finance Act, as amended, being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the county Finance Act, as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931.

Referred to Committee on Finance.

By Senator Francis: S. B. 384, a bill to provide for extension of time for the payment of ad valorem taxes assessed for the year 1932, in Haywood County.

Referred to Committee on Finance.

By Senator Francis by request: S. B. 385, a bill to amend chapter 368 of the Public-Local Laws of 1911 and amendments thereto, relating to the police court in the town of Canton, Haywood County.

Upon motion of Senator Francis, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Blackstock: S. B. 386, a bill to regulate the salaries of officials of Buncombe County and to reduce the number of employees.

Referred to Committee on Salaries and Fees.

By Senator Blackburn: S. B. 387, a bill relating to the disposition of witness fees and officers fees in the office of the clerk of the Superior Court of Wilkes County.

Referred to Committee on Judiciary No. 2.

By Senators Walker and Hill: S. R. 388, a joint resolution of the North Carolina Senate, the House of Representatives concurring, commending President Roosevelt for his economy program and the National House of Representatives for their promptness in approving said program and urging the immediate passage of the economy measure by the United States Senate.

Upon motion of Senator Walker, the rules are suspended and the resolution is placed upon its immediate readings.



Passes its second and third readings and is ordered sent to the House of Representatives by Special Messenger.

By Senator Clement: S. B. 389, a bill to relieve certain property in Rowan County to be used for a charitable hospital from taxes and assessments.

Upon motion of Senator Clement the bill is placed upon the Calendar.

By Senator Clement: S. B. 390, a bill to provide two additional terms of civil court for Rowan County.

Referred to Committee on Courts and Judicial Districts.

By Senator Waynick: S. B. 391, a bill to amend the municipal finance act of North Carolina and more particularly section 2943 of the Consolidated Statutes, as amended.

Referred to Committee on Conservation and Development.

By Senator Waynick: S. B. 392, a bill to amend section 2806 of Consolidated Statutes of North Carolina so as to authorize cities to fix and collect sewerage service charges.

Referred to Committee on Conservation and Development.

By Senator Waynick: S. B. 393, a bill to amend section 2808 of the Consolidated Statutes of North Carolina, relating to municipal light and water plants.

Referred to Committee on Conservation and Development.

By Senator McNeill of Ashe: S. B. 394, a bill to place the name of Louis Absher, a Confederate veteran, on the North Carolina Pension Roll.

Referred to Committee on Pensions.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 262, an act creating the office of tax collector in Cumberland County.

S. B. 278, an act to amend the charter of the city of Winston-Salem, being chapter 232, Private Laws of 1927, and chapter 51, Private Laws of 1931.

S. B. 287, an act relating to and providing for extension of time for the payment of taxes and interest charges upon delinquent taxes in Macon County.

H. B. 590, an act to prohibit the carrying or exploding dynamite cartridges and bombs, except for mechanical purposes in Cherokee County.

H. B. 700, an act to regulate the speed of boats on White Lake in Bladen County.

H. B. 722, an act to amend section 1443, Volume 3 of the Consolidated Statutes, relating to the courts in Avery County.

H. B. 753, an act to amend chapter 27, sub-chapter 2 of the Consolidated Statutes, relating to the time of holding a term of the Superior Court and affecting the county of Pender.

H. B. 779, an act to amend chapter 90 of the Public Laws of 1921, providing for the speedy trial of summary actions in ejectment, relating to Cabarrus County.

H. B. 787, an act to repeal chapter 147 of the Public-Local Laws of 1931 and establishing the office of tax collector and re-defining the duties of the sheriff of Polk County and fixing his salary.

H. B. 799, an act authorizing the commissioners of Sampson County to retire sinking fund loans with county bonds.

H. B. 816, an act relating to payment of indebtedness of special and special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in McDowell County.

H. B. 845, an act to authorize, empower and direct the sheriff and/or tax collector of Craven County to accept county vouchers in payment of taxes.

H. B. 858, an act to authorize, empower and direct the tax collector of Carteret County to accept county vouchers in payment of taxes.

H. B. 859, an act to allow certain discounts in the payment of delinquent taxes in Morehead City and the county of Carteret.

H. B. 924, an act to empower the county commissioners of Nash County to fix the salaries of officers of Nash County.

H. B. 930, an act requiring the register of deeds of Jackson County to prepare the tax list and providing the compensation therefor.

H. B. 179, an act authorizing the commissioners of Currituck County to appoint a prosecuting attorney for said county.

S. B. 378, an act relating to the holding of town elections in the town of Smithfield, Johnston County.

H. B. 943, an act to provide for the conservation of the assets of banking institutions and the issuance of preferred stock.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 362, a bill relating to rate of interest on monthly balances of State funds and of funds in the hands of the Commissioner of Banks.

Referred to Committee on Banks and Banking.

H. B. 943, a bill to provide for the conservation of the assets of banking institutions and the issuance of preferred stock.

Upon motion of Senator Hill, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Hill, 400 copies of the bill are ordered printed.

H. B. 917, a bill repealing and reenacting H. B. 723 ratified March 6, 1933 being "An act relating to road district bonds heretofore issued by Swain road district in Swain County and township road bonds heretofore issued by Forney's Creek township in Swain County."

Referred to Committee on Finance.

H. B. 937, a bill to amend chapter 428 of Public Laws of 1931, abolishing penalties in payment of taxes in Pamlico County.

Referred to Committee on Finance.

H. B. 938, a bill to reduce the salaries of certain officers of Chowan County.

Referred to Committee on Salaries and Fees.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 819, a bill to establish a Consolidated governing body for the city of Durham and Durham County, upon second reading.

The bill passes second reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Brown, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efrid, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Summersill, Waynick—41.

H. B. 565, a bill to amend chapter 520 of the Public-Local Laws of 1913, being "an act to establish a special court for Forsyth County with civil jurisdiction to be known as Forsyth County Court and the amendments thereto, relating to terms of court."

Passes its second and third readings and is ordered enrolled.

H. B. 873, a bill to fix fees and commissions to be charged by the clerk of the Superior Court of Forsyth County and the clerk of the Forsyth County Court. Passes its second and third readings and is ordered enrolled.

H. B. 525, a bill to amend chapter 97 of the Consolidated Statutes of North Carolina, Volume II, and chapter 164 of the Public Laws of 1929, so as to make the administration of the election laws more economical and more efficient, upon third reading.

Senator Francis offers an amendment which is adopted.

Senator Francis offers a second amendment which is adopted.

Senator Francis offers a third amendment which fails of adoption.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

S. B. 333, a bill to amend the Preamble and the several sections of the Constitution of North Carolina.

Senator Moore offers an amendment which is adopted.

Senator Fuller offers an amendment which is adopted.

Senator Moore offers an amendment which fails of adoption.

Senator Aiken offers an amendment which is adopted.

The bill, as amended, passes second reading, ayes 38, noes 1, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Bland, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Noell, Rankin, Sparger, Summersill, Walker, Waynick—38.

Those voting in the negative are: Senator Moore—1.

The bill passes third reading, ayes 38, noes 1, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey Beatty, Bell, Bland, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, Mc-

Bryde, McNeill, of Ashe, McNeill of Cumberland, Noell, Rankin, Sparger, Summersill, Walker, Waynick—38.

Those voting in the negative are: Senator Moore—1.

The bill is ordered engrossed.

H. B. 107, a bill to consolidate the office of superintendent of public welfare with the office of county superintendent of schools in Cleveland County.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Brown, D. P. McDuffee, Jr., is made an Honorary Page of the Senate.

Upon motion of Senator Greene, S. B. 344, a bill for the relief of W. A. Hall, Yancey County, North Carolina, is recalled from the House of Representatives.

Upon motion of Senator Dempsey the Senate adjourns to meet tomorrow morning at ten o'clock.

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## SIXTY-SECOND DAY

SENATE CHAMBER

THURSDAY, March 16, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. J. Grey, Methodist Church of Angier, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senators John H. Folger, J. T. Burroughs and Gwyn.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

S. B. 381, a bill to provide for funding and refunding of debts of local units of government other than counties, cities and towns, with a favorable report.

S. B. 382, a bill to amend chapter 60 of the Public Laws of 1931 as amended and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds, with a favorable report.

S. B. 383, a bill to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the local government act, being chapter 60 of the Public Laws of 1931; to amend the municipal finance act as amended being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the county finance act as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931, with a favorable report.

H. B. 937, a bill to amend chapter 428 of Public Laws of 1931, abolishing penalties in payment of taxes in Pamlico County, with an unfavorable report.



H. B. 917, a bill repealing and reenacting H. B. 723, ratified March 6, 1933, being "An act relating to road district bonds heretofore issued by Swain Road District in Swain County and township road bonds heretofore issued by Forney's Creek Township in Swain County," with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1.

S. B. 364, a bill to amend section 2304 (f) Volume III, of the Consolidated Statutes relating to department for inebriates at the State Hospital at Raleigh, N. C., with an unfavorable report.

S. B. 372, a bill to amend section 2471 of the Consolidated Statutes, relative to the order of payment of liens of materialmen and laborers with a favorable report.

S. B. 377, a bill to provide for special judges in North Carolina, with a favorable report as amended.

H. B. 201, a bill to repeal chapter 134, Public-Local Laws, 1927, relating to enforcement of the prohibition law in Cherokee County, with a favorable report.

H. B. 490, a bill to amend chapter 358, Public-Local Laws of 1927, as amended by chapter 133, Public Local Laws of 1931, relative to the enforcement of the Turlington Act in Franklin County, with a favorable report.

H. B. 814, a bill to extend the time for beginning actions against A. J. Fagg, former clerk of Superior Court of Stokes County and his official bond, with a favorable report.

H. B. 824, a bill to repeal chapter 532, Public-Local and Private Laws of 1927, the same being "An act to provide for better enforcement of the prohibition law in Polk and Transylvania Counties," with a favorable report.

H. B. 832, a bill to amend chapter 109, Public-Local Laws of 1931, relating to a jury commission for Cherokee County, with a favorable report.

H. B. 852, a bill to fix the amount of the official bond of the clerk of the Superior Court of Yancey County, with a favorable report.

H. B. 498, a bill to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust, with an unfavorable report as to bill, favorable as to substitute offered by the committee.

By Senator Grady, for the Committee on Judiciary No. 2.

H. B. 804, a bill to fix the compensation of jurors in Durham County, with a favorable report.

H. B. 848, a bill to amend the charter of the city of Lexington and validate certain acts of the city of Lexington, with a favorable report.

H. B. 846, a bill to amend chapter 490, Private Acts of the General Assembly 1907, so as to permit police officers of the town of Denton to serve process one mile beyond the limits of the town of Denton, with a favorable report.

H. B. 555, a bill to amend section 1590 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of recorders' courts, with a favorable report as amended.

H. B. 825, a bill to amend chapter 372, Public-Local Laws of 1931, relating to notices of public sales and foreclosure sales in Hyde County and Gates County, with a favorable report.

H. B. 603, a bill to amend section 444 of the Consolidated Statutes, fixing the time within which an action may be brought to recover from a party purchasing crop on which there is a lien, with a favorable report.

H. B. 805, a bill to provide the regulation of peddlers in the city of Charlotte, North Carolina, with a favorable report.

H. B. 320, a bill relating to costs, and to trial of jury, in criminal actions tried in the county recorder's court of Mecklenburg, with an unfavorable report as to bill, favorable as to substitute offered by the committee.

S. B. 299, a bill to validate judgments under which contingent remainders and executory devises have been partitioned, with a favorable report.

S. B. 365, a bill regulating the advertising and sale of bankrupt, receivership, assignment, insolvency, fire, closing out or auction stocks of merchandise in the city of Burlington, Alamance County, with a favorable report.

By Senator Walker, for the Committee on Election Laws:

H. B. 693, a bill to amend Consolidated Statutes No. 6055, sub-section (a 26) and Consolidated Statutes No. 6055, sub-section (a 27) as applicable to holding general elections in Brunswick County, with a favorable report.

H. B. 861, a bill to amend the charter of the town of Morehead City so as to provide for the election of chief of police, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Walker: S. B. 395, a bill validating acts of the clerk of the Superior Court of Alamance County in taxing costs in criminal actions, as provided in chapter 302, Public-Local Laws of 1929, and repealing said chapter 302, Public-Local Laws of 1929.

Upon motion of Senator Walker the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

By Senators Ingram, Cross, Efird and others: S. B. 396, a bill to amend the North Carolina Game Law.

Referred to Committee on Game Laws.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 348, an act to amend section 1443 of the Consolidated Statutes as amended, so that the May Term of the Superior Court of Wilson County shall be a general term.

S. R. 388, a joint resolution of the North Carolina Senate, the House of Representatives concurring, commending President Roosevelt for his economy program and the national House of Representatives for their promptness in approving said program and urging the immediate passage of the economy measure by the United States Senate.

H. B. 107, an act to consolidate the office of superintendent of Public Welfare with the office of county superintendent of schools in Cleveland County.



H. B. 565, an act to amend chapter 520 of the Public-Local Laws of 1915, being an act to establish a special court for Forsyth County with civil jurisdiction to be known as Forsyth County Court and the amendments thereto, relating to terms of court.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 135, a bill to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein.

Referred to Committee on Fish and Fisheries.

H. B. 322, a bill to regulate seining in Caswell County.

Referred to Committee on Fish and Fisheries.

H. B. 386, a bill to amend chapter 93, Private Laws, 1927, being "An act to create a firemen's pension and relief board for the city of Asheville and to provide for pensioning disabled and superannuated firemen."

Referred to Committee on Judiciary No. 2.

H. B. 627, a bill to amend chapter 186, Private Laws 1931, being "An act to amend S. B. 395, being the charter of the city of Asheville, pertaining to the reduction of salaries of councilmen and other employees."

Referred to Committee on Counties, Cities and Towns.

H. B. 628, a bill to amend article 120, chapter 121, Private Laws of 1931, the same being "An act to incorporate the city of Asheville, to define its corporate limits, to provide for its government and for other purposes pertaining to initiative, referendum and recall."

Referred to Committee on Judiciary No. 2.

H. B. 677, a bill to abolish office of tax collector for the county of Guilford and consolidate the same with the office of the sheriff.

Referred to Committee on Counties, Cities and Towns.

H. B. 752, a bill to amend chapter 51, Public Laws of 1927, relative to the hunting of wild turkeys in Guilford County.

Referred to Committee on Game Laws.

H. B. 771, a bill to prevent hunting of wild animals or other game by fire-lighting on the rivers, creeks, streams and other bodies of water in the counties of Bertie, Martin, Washington and Beaufort.

Referred to Committee on Game Laws.

H. B. 801, a bill authorizing partial payments on taxes in Sampson County.

Referred to Committee on Finance.

H. B. 843, a bill relative to costs in certain criminal cases in the courts of Pasquotank County.

Referred to Committee on Judiciary No. 2.

H. B. 847, a bill to amend chapter 676 of the Public-Local Laws of 1913, being "An act creating a recorder's court for the town of Denton and Emmons Township so as to increase the jurisdiction of said court."

Referred to Committee on Judiciary No. 1.

H. B. 908, a bill to extend the powers of the police officers of the various towns in Rutherford County.

Referred to Committee on Judiciary No. 1.

H. B. 821, a bill to repeal chapter 40, Private Laws 1874-1875, repealing the charter of the town of Morrisville, Wake County.

Referred to Committee on Counties, Cities and Towns.

H. B. 903, a bill to repeal the charter of the town of Connelly Springs, Burke County.

Referred to Committee on Counties, Cities and Towns.

H. B. 904, a bill validating the sale of lands October 5, 1931, by tax collector, city of Southport, for unpaid 1930 taxes.

Referred to Committee on Finance.

H. B. 910, a bill to authorize Guilford County and one or more cities therein to consolidate, create and establish agencies, departments and officers to administer jointly tax collecting duties of each body as may be agreed upon by the participants.

Referred to Committee on Finance.

H. B. 912, a bill to prohibit the setting of steel traps in Northampton County.

Referred to Committee on Game Laws.

H. B. 939, a bill to validate certain sales of property under foreclosure sales, etc., in Stanly County.

Referred to Committee on Finance.

H. B. 954, a bill naming Numa Seaborn Forester, a citizen of Wilkes County, North Carolina.

Referred to Committee on Judiciary No. 1.

H. B. 955, a bill to change the name of Paul Edward Blair to that of Frank P. Blair.

Referred to Committee on Judiciary No. 1.

H. B. 953, a bill to amend the charter of the New Bern Graded Schools and to provide for the appointment of the board of trustees of the New Bern Graded Schools.

Referred to Committee on Judiciary No. 1.

H. B. 959, a bill relating to the employment of a court stenographer in Lincoln County.

Referred to Committee on Judiciary No. 1.

H. B. 965, a bill to amend chapter 667 of the Public-Local Laws of 1913, relative to conferring appellate jurisdiction upon the recorder's court of Cumberland County.

Referred to Committee on Courts and Judicial Districts.

H. B. 88, a bill to prohibit the parking of motor vehicles in the Capitol Square except in cases of emergency.

Referred to Committee on Propositions and Grievances.

H. B. 967, a bill to repeal chapter 415, Public Laws of the General Assembly of North Carolina of 1929, entitled "An act to restore full ballot rights to voters entitled to participate in municipal primaries," in so far as said act applies to the city of Fayetteville, Cumberland County, North Carolina,



so that the candidate for alderman for each ward shall be nominated by the electors in such ward.

Referred to Committee on Election Laws.

H. B. 974, a bill to amend charter of the city of Kinston, relating to city realty and voting precincts.

Referred to Committee on Judiciary No. 2.

S. B. 117, a bill amending chapter 372 of the Public Laws of 1931, relating to the method of abolishing special taxes in special tax district, and provide that the same shall apply to Rowan County, for concurrence in the House amendment.

Upon motion of Senator Clement, the Senate concurs in the House amendment and the bill is ordered enrolled.

The following message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES,

*Mr. President:*

WEDNESDAY NIGHT, March 15, 1933.

In compliance with your request, we are returning S. B. 344, title "For relief of W. A. Hall, Yancey County, North Carolina," to your Body for further consideration.

Respectfully,

THAD EURE,  
*Principal Clerk.*

Upon motion of Senator Francis, the vote by which the bill passed its third reading is reconsidered.

Upon motion of Senator Francis, the bill is laid upon the Table.

HOUSE OF REPRESENTATIVES,

*Mr. President:*

WEDNESDAY NIGHT, March 15, 1933.

It is ordered that a message be sent to your Honorable Body requesting the return of H. B. 840, title "For relief of property owners in Mattamuskeet Drainage District, in Hyde County," for further consideration by the House.

Respectfully,

THAD EURE,  
*Principal Clerk.*

Upon motion of Senator MacLean, the bill is ordered returned to the House of Representatives.

HOUSE OF REPRESENTATIVES,

*Mr. President:*

WEDNESDAY, March 15, 1933.

In compliance with your notice of non-concurrence in the House amendment to Senate Bill No. 127, title "to validate certain sales of land for taxes and certificates issued in pursuance thereof," the Speaker has appointed as Conferees on the part of the House, Messrs. Scarborough, Olive and O'Berry.

Respectfully,

THAD EURE,  
*Principal Clerk.*

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 819, a bill to establish a Consolidated Governing Body for the city of Durham and Durham County, upon third reading.

The bill passes third reading, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Clement, Corey, Cross, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Summersill, Walker, Waynick—42.

The bill is ordered enrolled.

H. B. 579, a bill authorizing the board of county commissioners of Jackson County to assume certain bonded indebtedness of Dillsboro Township, upon second reading.

The bill passes second reading, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Clement, Corey, Cross, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Summersill, Walker, Waynick—42.

H. B. 841, a bill to authorize the commissioners of Caswell County to levy a special tax for the support of the poor, the maintenance of county health work and for running the courts of said county, upon second reading.

The bill passes second reading, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Clement, Corey, Cross, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Summersill, Walker, Waynick—42.

S. B. 375, a bill to amend chapter 94, Private Laws of 1899, relating to Thompson Institute of Robeson County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 389, a bill to relieve certain property in Rowan County to be used for a charitable hospital from taxes and assessments.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 458, a bill to amend chapter 60 of the Public-Local Laws of 1929, relating to the nomination of members of the board of education of Camden County.

Passes its second and third readings and is ordered enrolled.

H. B. 198, a bill to authorize county authorities to revalue property for taxation in certain cases.

Passes its second and third readings and is ordered enrolled.



H. B. 552, a bill for the relief of C. D. Sawyer, tax collector for the town of Robbinsville, Graham County, authorizing the collection of back taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 762, a bill to amend the charter of the town of Bessemer City.

Passes its second and third readings and is ordered enrolled.

H. B. 785, a bill to repeal the charter of the town of Rutherford College, Burke County.

Passes its second and third readings and is ordered enrolled.

H. B. 888, a bill to provide for the collection of taxes in the city of Wilmington, town of Carolina Beach, and county of New Hanover.

Passes its second and third readings and is ordered enrolled.

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor.

The amendment offered by the Committee is adopted.

Senator Rankin offers an amendment.

Senators Hartsell and Hanes offer an amendment.

Senator Bailey offers an amendment.

Pending discussion, the bill remains upon the Calendar, and upon motion of Senator Hartsell, the bill is made a special order for tomorrow.

Upon motion of Senator Hartsell, the Senate takes a recess until 8:00 o'clock tonight.

#### EVENING SESSION

SENATE CHAMBER,

THURSDAY, March 16, 1933.

The Senate meets pursuant to recess, and is called to order by Lieutenant-Governor A. H. Graham.

The courtesies of the floor are extended to ex-Senator J. A. Long.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 335, a bill to amend section 21, chapter 4, Public Laws of 1921, and section 1, chapter 121, Public Laws of 1925, and to require a surplus fund in lieu of double liability of stockholders in banks.

Placed upon the Calendar.

Upon motion of Senator Hill, the bill is made a special order No. 2 for tomorrow.

H. B. 891, a bill to amend chapter 253, Public-Local Laws of 1931, creating a board of financial control for Buncombe County and the city of Asheville.

Upon motion of Senator Blackstock, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

## ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 117, an act to authorize elections to be held in school districts in Rowan County for the purpose of submitting to the voters the question of revoking special school taxes.

S. B. 240, an act to prevent the taking and catching of game and wild animals in steel traps in Sampson County.

S. B. 259, an act to amend section 27 of chapter 51 of the Public Laws of 1927, relative to fox hunting in Northampton County.

S. B. 297, an act to amend chapter 241, Public-Local Laws, 1927, relative to the real estate commission exempting Wake County from the provisions thereof.

S. B. 339, an act relating to the extension of time for payment of special assessments levied by the city of Salisbury.

S. B. 343, an act validating official acts of F. N. Roup, justice of the peace of Gap Civil Township, Alleghany County, North Carolina.

S. B. 360, an act to amend chapter 179, Public-Local Laws 1931, relating to the salary of the judge and solicitor of the general county court in Wilson County.

H. B. 198, an act to authorize Buncombe County authorities to revalue property for taxation in certain cases.

H. B. 458, an act to amend chapter 60 of the Public-Local Laws of 1929, relating to the nomination of members of the board of education of Camden County.

H. B. 552 an act for the relief of C. D. Sawyer, tax collector for the town of Robbinsville, Graham County, authorizing the collection of back taxes.

H. B. 762, an act to amend the charter of the town of Bessemer City.

H. B. 785, an act to repeal the charter of the town of Rutherford College, Burke County.

H. B. 873, an act to fix fees and commissions to be charged by the clerk of the Superior Court of Forsyth County and the clerk of the Forsyth County Court.

Upon motion of Senator Hinsdale, H. B. 475, a bill to prohibit State institutions from engaging in the retail business, is taken from the unfavorable Calendar and re-referred to the Committee on Judiciary No. 2.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. R. 255, a joint resolution to pay the expenses of the Committee from the Senate and the House of Representatives visiting the State Hospitals at Goldsboro and Morganton.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 276, a bill to amend section 2015 of the Consolidated Statutes of North Carolina, relating to fishing in Roanoke River.



Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 69, a bill to abolish the absentee ballot law in all primary elections in North Carolina.

The substitute offered by the Committee is adopted.

The bill passes its second reading.

Senators Boggan and Efrid offer an amendment.

Upon objection by Senator Francis to its final passage, the bill remains upon the Calendar.

S. B. 363, a bill to amend section 35, chapter 60, Public Laws 1931, to provide a procedure for the adjustment and settlement of valid indebtedness of units of local government when in default.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 84, a bill to amend section 1 of chapter 336, Public Laws 1931, providing for the reduction of license fees on automobiles.

Upon motion of Senator Cross, action on the bill is deferred until March 24.

H. B. 106, a bill to amend chapter 52, section 2532 of the Consolidated Statutes of North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 218, a bill to repeal chapter 114, Public-Local Laws of 1925, relative to the enforcement of prohibition law in certain counties.

Passes its second and third readings and is ordered enrolled.

S. B. 358, a bill to authorize governing bodies of counties and municipalities to contract for the purpose of carrying on administrative functions at joint expense.

Passes its second reading and upon objection by Senator Waynick to its final passage, the bill remains upon the Calendar.

S. B. 369, a bill relating to corporations for the protection and development of forests under the supervision of the State.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 295, a bill to make competent evidence of communicated threats against the defendant on pleas of self-defense in cases of assault, assault and battery and affrays, where deadly weapons are used and serious damage done.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 10, a bill to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities.

The substitute offered by the Committee is adopted.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 311, a bill to amend chapter 86 of the Public Laws of 1925, and relating to the power of administrators, executors and collectors to renew obligations of estates.

Passes its second and third readings and is ordered enrolled.

H. B. 377, a bill to amend chapter 170, Laws 1921, relating to standard weight packages of hominy and grits.

Passes its second and third readings and is ordered enrolled.

H. B. 425, a bill to amend chapter 72, Public Laws of 1931, amending section 1659 of the Consolidated Statutes, relative to grounds for absolute divorce, reported unfavorably from the Committee, upon the Calendar by reason of minority report having been filed.

The minority report is adopted.

Upon the passage of the bill on its second reading, Senator Griffin of Franklin calls for the ayes and noes.

The call is sustained.

The bill passes second reading, ayes 27, noes 14, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Bell, Blackburn, Brown, Burgin, Clement, Corey, Cross, Efrid, Gwyn, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Long, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Sparger, Summersill, Walker, Waynick—27.

Those voting in the negative are: Senators Beatty, Blackstock, Bland, Blue, Boggan, Dempsey, Dunagan, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hinsdale, Land, McNeill of Cumberland—14.

Senator Griffin of Chowan objects to the final passage of the bill.

Upon motion of Senator Bailey, the rules are suspended and the bill is placed upon its third reading.

Passes its third reading and is ordered enrolled.

H. B. 473, a bill to regulate the departmental service, office hours, leaves of absence and extra compensation.

Upon motion of Senator Brown, the bill is laid upon the Table.

H. R. 491, a joint resolution relating to the employment of married couples now employed by agencies of State government.

Upon motion of Senator Francis, the bill is laid upon the Table.

H. B. 499, a bill to amend and rewrite section 6108 of the Consolidated Statutes, relating to the enrollment of acts of the General Assembly and the employment of necessary assistance for that purpose.

The amendment offered by the Committee is adopted.

Senator Land offers an amendment which is adopted.

Senator Noell moves that the bill with amendments do lie upon the Table.

Upon this motion Senator Hanes calls for the ayes and noes.

The call is sustained.

The motion fails to prevail, ayes 6, noes 31, as follows:

Those voting in the affirmative are: Senators Bailey, Francis, Hinsdale, Joyner, McNeill of Cumberland, Noell—6.

Those voting in the negative are: Senators Aiken, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efrid, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Hartsell, Hill, Ingram, Land, McBryde, Moore, Rankin, Sparger, Summersill, Walker, Waynick—31.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.



Upon motion of Senator Corey, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

### SIXTY-THIRD DAY

SENATE CHAMBER,

FRIDAY, March 17, 1933.

The Senate meets pursuant to adjournment, and in the absence of the Lieutenant-Governor and the President pro tempore, the Principal Clerk calls Senator Grady to the Chair who calls the Senate to order.

Prayer is offered by Rev. Harvey A. Cox, St. Saviour's Episcopal Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senator Harry McMullan and John A. McCree and U. L. Spence, former members of the House of Representatives.

Upon motion of Senator McNeill of Cumberland, H. B. 965, a bill to amend chapter 667 of the Public-Local Laws of 1913, relative to conferring appellate jurisdiction upon the recorder's court of Cumberland County, is taken from the Committee on Courts and Judicial Districts and placed upon the Calendar.

Upon motion of Senator McNeill of Cumberland, H. B. 967, a bill to repeal chapter 415 of the Public-Local Laws of the General Assembly of North Carolina of 1929 to restore full ballot rights to voters entitled to participate in municipal primaries in the city of Fayetteville, is taken from the Committee on Election Laws and placed upon the Calendar.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

S. B. 361, a bill to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865 and chapter 56, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in State supported institutions of higher learning in North Carolina, with a favorable report.

By Senator Fuller, for the Committee on Game Laws:

H. B. 793, a bill to provide for a close season for six years for hunting game in Alexander County, with an unfavorable report.

H. B. 752, a bill to amend chapter 51, Public Laws of 1927, relative to the hunting of wild turkeys in Guilford County, with a favorable report.

H. B. 912, a bill to prohibit the setting of steel traps in Northampton County, with a favorable report.

H. B. 435, a bill relating to hunting wild-hogs, raccoon and opossum in Graham County, with a favorable report.

H. B. 367, a bill to prohibit the setting of steel traps in Greene County, with a favorable report.

H. B. 771, a bill to prevent hunting game by fire lighting on the rivers, creeks, streams and other bodies of water in the counties of Bertie, Martin, Washington and Beaufort, with a favorable report.

H. B. 698, a bill to amend chapter 431 of Public-Local Laws of 1927, and chapter 234 of Public Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of game commissioners, with a favorable report as amended.

S. B. 40, a bill to amend chapter 51, of the Public Laws of 1927, known as the North Carolina Game Law, and to abolish the office of State Game Warden, and to provide for taking game and wild animals on lands of residents without license, with a favorable report.

S. B. 63, a bill to repeal chapter 180, Public-Local Laws of 1931, being "an act to protect foxes in Wilkes County," with a favorable report.

S. B. 43, a bill to amend chapter 51 of the Public Laws of North Carolina of 1927, repealing the resident licenses required to hunt game in North Carolina, with an unfavorable report.

S. B. 42, a bill to amend chapter 335 of the Public Laws of 1929, repealing resident license requirement for fishing in the waters of North Carolina, with an unfavorable report.

By Senator Hill, for the Committee on Banks and Banking:

H. R. 738, a joint resolution to require the commissioner of banks to furnish to the General Assembly the names of attorneys employed by said commissioner, the nature of their employment and the total fees paid said attorneys for the year 1931, 1932 and 1933, and the fee contracted to be paid said attorneys, with an unfavorable report.

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 925, a bill to repeal chapter 188, Public-Local Laws 1929, and to amend chapter 521, Public-Local Laws 1921, relating to fees of justices of the peace in Pitt County, with a favorable report.

H. B. 704, a bill to amend chapter 206, Public-Local Laws of extra session of 1920, providing compensation for cotton weigher at Enfield, with a favorable report.

H. R. 492, a joint resolution of the General Assembly of North Carolina, providing for a report by the head of each and every department of the State of North Carolina, reporting the names and amounts of compensation received by any employee of said departments from the Federal Government, with an unfavorable report.

H. B. 605, a bill to amend chapter 291 of the Public-Local Laws of 1931, relative to the salary of the tax collector and the expense of the collection of taxes in Franklin County, with a favorable report.

H. B. 764, a bill to amend chapter 291 of the Public-Local Laws of 1931 for the reduction of the salary of the sheriff of Franklin County, with a favorable report.

H. B. 763, a bill to amend chapter 255 of the Public-Local Laws of 1923, as amended by chapter 347 of the Public-Local Laws of 1923, relating to the



salaries of the register of deeds and the clerk of the court of Franklin County, with a favorable report.

H. B. 630, a bill to regulate the fees of the various justices of the peace of Mecklenburg County, with a favorable report.

H. B. 835, a bill to amend chapter 61, Public-Local Laws 1929, relating to the salaries of the officers of Moore County, with a favorable report.

H. B. 889, a bill to place the officers of New Hanover County upon a salary basis and to fix the salaries of the city commissioners including the mayor, with a favorable report.

H. B. 800, a bill regulating the fee for capturing stills in Sampson County, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 356, a bill to permit the consolidation of counties by popular vote therein, with a favorable report as amended.

S. B. 357, a bill to permit the annexation of one county by another by popular vote, with a favorable report as amended.

S. B. 368, a bill to authorize the appointment of deputies and clerks, office force and assistants for the sheriff of the county of Wake and to provide for their compensation, with a favorable report.

H. B. 847, a bill to amend chapter 676 of the Public-Local Laws of 1913, an act creating a recorder's court for the town of Denton and Emmons Township, so as to increase the jurisdiction of said court, with a favorable report as amended.

H. B. 955, a bill to change the name of Paul Edward Blair to that of Frank P. Blair, with an unfavorable report.

H. B. 959, a bill relating to the employment of a court stenographer in Lincoln County, with a favorable report.

H. B. 860, a bill authorizing the town of Morehead City to establish a port commission for the said town, to prescribe the duties of the said commission, and, to authorize the said town to coöperate with the said commission in carrying out the purposes and intents of this act, with a favorable report.

H. B. 954, a bill naming Numa Seaborn Forester a citizen of Wilkes County, North Carolina, with an unfavorable report.

By Senator Blue, for the Committee on Agriculture:

S. B. 327, a bill to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction, with a favorable report.

S. B. 354, a bill to amend chapter 87, Public Laws of 1921, relating to coöperative organizations, permitting subsidiary organizations, and permitting a limited dealing with products of non-members, with a favorable report.

H. B. 932, a bill to protect sheep and other domestic animals from dogs, with a favorable report.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 363, a bill to amend section 35, chapter 60, Public Laws 1931, to provide a procedure for the adjustment and settlement of valid indebtedness of units of local government when in default.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of Secretary of State:

H. B. 891, an act to amend chapter 253, Public-Local Laws of 1931, creating a board of financial control for Buncombe County and the city of Asheville.

H. B. 106, an act to amend chapter 52, section 2532 of the Consolidated Statutes of North Carolina.

H. B. 218, an act to repeal chapter 114, Public-Local Laws of 1925, relative to the enforcement of prohibition law in certain counties.

H. B. 888, an act to provide for the collection of taxes in the city of Wilmington, town of Carolina Beach and county of New Hanover.

S. B. 395, an act validating acts of the clerk of the Superior Court of Alamance County in taxing costs in criminal actions, as provided in chapter 302, Public-Local Laws of 1929, and repealing said chapter 302, Public-Local Laws of 1929.

H. B. 335, an act to amend section 21, chapter 4, Public Laws of 1921, and section 1, chapter 121, Public Laws of 1925, and to require a surplus fund in lieu of double liability of stockholders in banks.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Burgin: S. B. 397, a bill to allow the tax collector of the town of Star to collect back taxes.

Referred to Committee on Finance.

By Senators Burgin, Hill and Brown: S. B. 398, a bill to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income, and for the sale or rental thereof on reasonable terms; authorizing the incorporation of limited dividend housing companies and prescribing the powers, rights and duties thereof; creating a State board of housing for the purpose of encouraging, approving assisting, supervising and regulating such activities, prescribing and defining the powers and duties of the board, including supervisory and regulatory powers over limited dividend housing companies engaged in such activities, authorizing the board to fix within certain limits the rentals or purchase price of housing accommodations furnished by limited dividend housing companies.

Referred to Committee on Conservation and Development.

By Senator Kirkpatrick: S. B. 399, a bill to amend chapter 120, section 54 (a) of the Public Laws of 1929, North Carolina Ann. Code (Michie 1931) section 881 (jjj) relative to procedure before the industrial commission.

Referred to Committee on Insurance.



By Senators Hill, Bailey, Barker and Burgin: S.B. 400, a bill to require the commissioner of banks to file quarterly in the office of the clerk of the Superior Court of every county in the State the names of attorneys and accountants employed by said commissioner, the nature of their employment and a statement showing fees paid said attorneys and accountants in connection with the liquidation of banks located in that county.

Placed upon the Calendar.

By Senator Patton: S. B. 401, a bill to pension all Confederate soldiers.

Referred to Committee on Pensions.

By Senator Corey, by request: S. B. 402, a bill relating to the closing of certain stores and filling stations in Pitt County.

Referred to Committee on Judiciary No. 2.

By Senators McNeill of Ashe and Noell of Person: S. B. 403, a bill to require the Department of Revenue to provide for the sale of automobile license tags in each county of the State.

Referred to Committee on Finance.

By Senator Clark: S. B. 404, a bill to amend chapter 156, Public Laws of 1921, relating to department for inebriates at the State Hospital at Raleigh, North Carolina.

Placed upon the Calendar.

By Senator Clark: S. B. 405, a bill to amend chapter 64, Public Laws 1931, to withdraw Edgecombe County from the operating provision of said act.

Placed upon the Calendar.

By Senator Clark: S. B. 406, a bill to amend chapter 126, Public Laws 1931, to withdraw Edgecombe County from the operating provision of said act.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 240, a bill to amend section 1569 of the Consolidated Statutes, relating to removal of cases in court of justice of peace.

Referred to Committee on Courts and Judicial Districts.

H. B. 822, a bill to regulate and fix the salaries of the elective officials of the city of Raleigh, the city attorney and the prosecuting attorney.

Referred to Committee on Judiciary No. 1.

H. B. 909, a bill to fix the compensation of jurors in Yancey County.

Referred to Committee on Judiciary No. 1.

H. B. 947, a bill to regulate and control the business of transporting passengers for hire by motor vehicles over the public roads of the county of Buncombe and cities and towns in said county.

Referred to Committee on Judiciary No. 2.

H. B. 960, a bill to validate certain official acts of J. C. Kennedy, Notary Public of Sampson County.

Referred to Committee on Judiciary No. 2.

H. B. 962, a bill to authorize and empower the board of commissioners of Surry County to fix and reduce the salaries of certain officers in said county in accordance with the current standard of prices, wages and salaries.

Referred to Committee on Salaries and Fees.

H. B. 957, a bill to provide for the election of trustees for the Troy Special Charter School District at the next municipal election.

Referred to Committee on Education.

H. B. 976, a bill to amend chapter 391 of the Public-Local Laws of 1927, relating to the salary of the assistant clerk of the Superior Court of Wake County.

Referred to Committee on Judiciary No. 1.

H. B. 977, a bill regulating the pay of jurors in Johnston County.

Referred to Committee on Judiciary No. 1.

H. B. 963, a bill to create the office of tax collector of Watauga County.

Referred to Committee on Judiciary No. 2.

H. B. 982, a bill to require the sheriff, clerk of court and register of deeds for Richmond County to keep a permanent record of receipts and expenditures of their offices.

Upon motion of Senator Blue, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

S. B. 313, a bill relating to the fees for registering federal crop liens and federal chattel mortgages, for concurrence in the House amendment.

Upon motion of Senator Barker, the Senate concurs in the House amendment and the bill is ordered enrolled.

HOUSE OF REPRESENTATIVES,

FRIDAY, March 17, 1933.

*Mr. President:*

It is ordered that a message be sent your Body with the information that the House has failed to concur in Senate Amendments to House Bill No. 499, title "Amend and rewrite section 6108, relating to enrollment of Acts of General Assembly, and employment of assistance for that purpose," and asks for a conference. For your information, the Speaker has appointed as Conferees on the part of the House, Messrs. Cox, Makepeace and Thomas.

Respectfully,

THAD EURE,

*Principal Clerk.*

The President appoints as Conferees on the part of the Senate, Senators Hanes and Land, and a message is ordered sent to the House, informing that Body of such action.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 579, a bill authorizing the board of county commissioners of Jackson County to assume certain bonded indebtedness of Dillsboro Township, upon third reading.



The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Efird, Francis, Fuller, Grady, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick—39.

The bill is ordered enrolled.

H. B. 841, a bill to authorize the commissioners of Caswell County to levy a special tax for the support of the poor, the maintenance of county health work, and for running the courts of said county, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Efird, Francis, Fuller, Grady, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick—39.

The bill is ordered enrolled.

H. B. 860, a bill authorizing the town of Morehead City to establish a port commission for the said town, to prescribe the duties of the said commission, and to authorize the said town to coöperate with the said commission in carrying out the purposes and intents of this act, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Corey, Efird, Fuller, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Summersill, Walker, Waynick—40.

H. B. 917, a bill repealing and re-enacting H. B. 723, ratified March 6th, being "an act relating to road district bonds heretofore issued by Swain Road District in Swain County and township road bonds heretofore issued by Forney's Creek Township in Swain County," upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Efird, Francis, Fuller, Grady, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick—39.

H. B. 814, a bill to extend the time for beginning actions against A. J. Fagg, former clerk of Superior Court of Stokes County and his official bond.

Passes its second and third readings and is ordered enrolled.

H. B. 824, a bill to repeal chapter 532, Public-Local and Private Laws of 1927, the same being "an act to provide for better enforcement of the prohibition law in Polk and Transylvania Counties."

Passes its second and third readings and is ordered enrolled.

H. B. 825, a bill to amend chapter 372, Public-Local Laws of 1931, relating to notices of public sales and foreclosure sales in Hyde County and Gates County.

Passes its second and third readings and is ordered enrolled.

H. B. 832, a bill to amend chapter 109, Public-Local Laws of 1931, relating to a jury commission for Cherokee County.

Passes its second and third readings and is ordered enrolled.

H. B. 320, a bill relating to costs and to trial by jury in criminal actions tried in the county recorder's court of Mecklenburg County.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate substitute.

H. B. 846, a bill to amend chapter 490, Private Acts of the General Assembly 1907, so as to permit police officers of the town of Denton to serve process one mile beyond the limits of the town of Denton.

Passes its second and third readings and is ordered enrolled.

H. B. 848, a bill to amend the charter of the city of Lexington and validate certain acts of the city of Lexington.

Passes its second and third readings and is ordered enrolled.

H. B. 852, a bill to fix the amount of the official bond of the clerk of the Superior Court of Yancey County.

Passes its second and third readings and is ordered enrolled.

H. B. 861, a bill to amend the charter of the town of Morehead City so as to provide for the election of chief of police.

Passes its second and third readings and is ordered enrolled.

H. B. 967, a bill to repeal chapter 415 of the Public-Local Laws of the General Assembly of North Carolina of 1929, entitled "An act to restore full ballot rights to voters entitled to participate in municipal primaries," in so far as said act applies to the city of Fayetteville in Cumberland County, North Carolina, so that the candidate for aldermen for each ward shall be nominated by the electors of such ward.

Passes its second and third readings and is ordered enrolled.

H. B. 965, a bill to amend chapter 667 of the Public-Local Laws of 1913, relative to conferring appellate jurisdiction upon the recorder's court of Cumberland County.

Passes its second and third readings and is ordered enrolled.

S. B. 365, a bill regulating the advertising and sale of bankrupt, receivership, assignment, insolvency, fire, closing out of auction stocks of merchandise in the city of Burlington, Alamance County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 201, a bill to repeal chapter 134, Public-Local Laws, 1927, relating to enforcement of the prohibition law in Cherokee County.

Passes its second and third readings and is ordered enrolled.

H. B. 490, a bill to amend chapter 358, Public-Local Laws of 1927, as amended by chapter 133, Public-Local Laws of 1931, relative to the enforcement of the Turlington Act in Franklin County.

Passes its second and third readings and is ordered enrolled.



H. B. 693, a bill to amend Consolidated Statute No. 6055, subsection (26 a) and Consolidated Statute No. 6055, subsection (27 a) as applicable to holding general elections in Brunswick County.

Passes its second and third readings and is ordered enrolled.

H. B. 804, a bill to fix the compensation of jurors in Durham County.

Passes its second and third readings and is ordered enrolled.

H. B. 805, a bill to provide the regulation of peddlers in the city of Charlotte, North Carolina.

Passes its second and third readings and is ordered enrolled.

The hour having arrived for the consideration of the Special Orders, the President lays before the Senate, Special Order No. 1, it being S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor.

Senator Hill offers an amendment.

Senators Aiken and Hanes withdraw the amendment offered by them.

Upon motion of Senator Aiken, action on the bill is deferred and the bill remains upon the Calendar.

The President lays before the Senate, Special Order No. 2, it being, H. B. 335, a bill to amend section 21, chapter 4, Public Laws of 1921 and section 1, chapter 121, Public Laws of 1925 and to require a surplus fund in lieu of double liability of stockholders in banks, upon third reading.

Senator Blackstock offers an amendment which fails of adoption.

Passes its third reading, and is ordered enrolled.

S. B. 69, a bill to abolish the absentee ballot law in all primary elections in North Carolina, upon third reading.

Senator Dunagan offers an amendment which is adopted.

The amendment offered by Senators Boggan and Efird is adopted.

Senator Kirkpatrick offers an amendment which is adopted.

Senator Hinsdale moves that the vote by which the several amendments were adopted be reconsidered.

Senator Francis moves that the bill do lie upon the Table.

Upon this motion, Senator McNeill of Cumberland calls for the ayes and noes.

The call is sustained.

The motion fails to prevail, ayes 19, noes 25, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Bell, Blue, Boggan, Clark, Clement, Dempsey, Dunagan, Francis, Griffin of Chowan, Hairfield, Hartsell, Joyner, Kirkpatrick, Noell, Rankin, Sparger, Waynick—19.

Those voting in the negative are: Senators Aiken, Barker, Beatty, Blackburn, Blackstock, Bland, Corey, Cross, Efird, Fuller, Griffin of Franklin, Gwyn, Hanes, Hill, Hinsdale, Ingram, Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Summersill, Walker—25.

Upon the motion of Senator Hinsdale, Senator Dunagan calls for the ayes and noes.

The call fails to prevail.

The motion of Senator Hinsdale prevails.

Senator Kirkpatrick moves that action on the bill be deferred.

The motion fails to prevail.

Passes its third reading and is ordered sent to the House of Representatives.

S. B. 381, a bill to provide for funding and refunding of debts of local units of government other than counties, cities and towns, upon second reading. Senator Dunagan offers an amendment which is adopted.

The bill, as amended, passes second reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Clark, Clement, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, Noell, Sparger, Summersill, Walker, Waynick—36.

S. B. 382, a bill to amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds, upon second reading.

Senator Clement offers an amendment which is adopted.

The bill, as amended, passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Brown, Clark, Clement, Corey, Dempsey, Dunagan, Efird, Francis, Fuller, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McDuffee, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Summersill, Walker, Waynick—39.

S. B. 383, a bill to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the local government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act, as amended, being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act, as amended, being chapter 81 of the Public Laws of 1927 and to amend chapter 395 of the Public Laws of 1931, upon second reading.

The bill passes second reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Clark, Clement, Dempsey, Dunagan, Efird, Francis, Fuller, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, Moore, Noell, Rankin, Sparger, Summersill, Walker, Waynick—37.

S. B. 299, a bill to validate judgments under which contingent remainders and executory devises have been partitioned.

Passes its second and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator MacLean, H. B. 803, a bill relating to the use of the proceeds from the collection of certain delinquent taxes in Tyrrell County, is taken from the unfavorable Calendar and re-referred to the Committee on Finance.

Senator Clark gives notice that he will lodge a motion to reconsider the vote by which S. B. 69, a bill to abolish the absentee ballot law in all primary elections in North Carolina, passed its third reading.

Upon motion of Senator Dunagan, the Senate takes a recess to meet tonight at 8:00 o'clock.



## EVENING SESSION

SENATE CHAMBER,

FRIDAY, March 17, 1933.

The Senate meets pursuant to recess, and is called to order by Lieutenant-Governor A. H. Graham.

The courtesies of the floor are extended to Mrs. W. H. Joyner and ex-Senator C. B. Spencer.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator McBryde: S. B. 407, a bill to authorize the governing body of the town of Raeford to extend the time for payment of street and sidewalk assessments and to compromise claims therefor for less than the amount of such assessments.

Upon motion of Senator McBryde, the rule are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 333, a bill to amend the Preamble and the several sections of the Constitution of North Carolina.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 377, a bill to provide for special judges in North Carolina.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 555, a bill to amend section 1590 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of recorder's courts.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 556, a bill to amend section 1589 of the Consolidated Statutes, relating to recorder's courts.

Passes its second and third readings and is ordered enrolled.

H. B. 603, a bill to amend section 444 of the Consolidated Statutes, fixing the time within which an action may be brought to recover from a party purchasing crop on which there is a lien.

Passes its second and third readings and is ordered enrolled.

H. B. 731, a bill to facilitate the sale and consumption of North Carolina farm products.

Passes its second and third readings and is ordered enrolled.

H. B. 811, a bill to amend H. B. 90, entitled "An act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County to chapter 273, Public Laws 1929, relating to the punishment of makers of worthless checks, and to amend the said law," ratified February 8, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 835, a bill to validate the official acts performed between July 24, 1930, and April 29, 1932, by H. K. Ogburn, notary public for Forsyth County, appointed by His Excellency the Governor of North Carolina, O. Max Gardner, July 24, 1930.

Passes its second and third readings and is ordered enrolled.

H. R. 884, a joint resolution of the General Assembly of North Carolina, relating to the relief of the counties of Haywood and Swain in the State of North Carolina by reason of their loss in taxable valuation by the establishment of the Great Smoky Mountains National Park.

Passes its second and third readings and is ordered enrolled.

H. B. 897, a bill to permit the commissioner of motor vehicles to advance the date for the reduction in motor vehicle taxes now provided for April 1, 1933.

Passes its second and third readings and is ordered enrolled.

S. B. 207, a bill to add to the standards of capacity measure the one third quart and legalizing its use.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 358, a bill to authorize governing bodies of counties and municipalities to contract for the purpose of carrying on administrative functions at joint expense, upon third reading.

Senator Waynick offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered engrossed.

S. B. 356, a bill to permit the consolidation of counties by popular vote therein.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 357, a bill to permit the annexation of one county by another by popular vote.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

Upon motion of Senator Kirkpatrick, H. B. 221, a bill to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice, etc., is made a special order for Monday night, March 20th.

Upon motion of Senator Bailey, the Senate adjourns to meet tomorrow morning at 10:00 o'clock to consider only Public-Local bills, and that when the Senate adjourn tomorrow it adjourn to meet Monday night at 8:00 o'clock.



**SIXTY-FOURTH DAY**

SENATE CHAMBER,

SATURDAY, March 18, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Joseph F. Fletcher of Saint Mary's School of Raleigh, N. C.

Senator McNeill of Ashe for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Indefinite leave of absence is extended to Senator George Greene.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them and take their place on the Calendar, as follows:

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 938, a bill to reduce the salaries of certain officers of Chowan County, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hinsdale: S. B. 408, a bill authorizing the commissioners of Wake County, in their discretion, to defer for two years the foreclosures under deeds of trust and mortgages held in the sinking fund of said county.

Upon motion of Senator Hinsdale, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hinsdale: S. B. 409, a bill to place the name of Lucy Ann Doanes of Wake County, widow of a Confederate veteran on the pension roll.

Referred to Committee on Pensions.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. R. 998, a joint resolution to pay the expenses of the joint sub-committee visiting the Western Carolina Teachers College, the Appalachian State Teachers College and the East Carolina Teachers College.

Placed upon the Calendar.

H. B. 840, a bill for the relief of property owners in the Mattamuskeet Drainage District.

Referred to Committee on Finance.

H. B. 857, a bill to repeal chapter 598, Public-Local Laws of 1923, relating to making out of tax receipts by the register of deeds of Lenoir County.

Referred to Committee on Finance.

H. B. 866, a bill to authorize the cities of Greensboro and High Point to issue funding and refunding bonds.

Referred to Committee on Finance.

H. B. 929, a bill to amend chapter 441 of the Public Laws of 1931, authorizing the levying of a special tax so as to include the County of Harnett.

Referred to Committee on Finance.

H. B. 956, a bill to amend chapter 213 of the Public Laws of 1927, relating to the commissions to be paid the present tax collector of Yancey County.

Referred to Committee on Finance.

H. B. 966, a bill relating to the payment of township highway bonds in McDowell County.

Referred to Committee on Finance.

H. B. 987, a bill for the betterment of farming conditions in Graham County.

Referred to Committee on Agriculture.

H. B. 996, a bill to create a tax commission for Cherokee County.

Referred to Committee on Finance.

H. B. 997, a bill to appoint a board of revaluation and review in Yancey County.

Upon motion of Senator Dunagan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 961, a bill to divert such moneys of the county of Pasquotank yet remaining under the game commission fund to the general fund.

Referred to Committee on Game Laws.

H. B. 984, a bill concerning the sale of land and other property for taxes in Transylvania County.

Referred to Committee on Finance.

H. B. 881, a bill to repeal any and all statutes, laws and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes.

Referred to Committee on Finance.

H. B. 882, a bill to amend section 473 of the Consolidated Statutes in regard to a special venire from an adjoining county in capital felonies.

Referred to Judiciary No. 1.

H. B. 914, a bill to provide for the listing and valuing of all property, real, personal and mixed, at the true value in money.

Referred to Committee on Finance.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 435, a bill relating to hunting wild hogs, raccoon and opossum in Graham County.

Passes its second and third readings and is ordered enrolled.



H. B. 605, a bill to amend chapter 291 of the Public-Local Laws of 1931, relative to the salary of the tax collector and the expense of the collection of taxes in Franklin County.

Passes its second and third readings and is ordered enrolled.

H. B. 630, a bill to regulate the fees of the various justices of the peace of Mecklenburg County.

Passes its second and third readings and is ordered enrolled.

H. B. 698, a bill to amend chapter 431 of Public-Local Laws of 1927 and chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowls in Currituck County and providing for election of game commissioners.

Passes its second and third readings and is ordered enrolled.

H. B. 771, a bill to prevent hunting of wild animals or other game by firelighting on the rivers, creeks and streams and other bodies of water in the counties of Bertie, Martin, Washington and Beaufort.

Passes its second and third readings and is ordered enrolled.

H. B. 912, a bill to prohibit the setting of steel traps in Northampton County.

Passes its second and third readings and is ordered enrolled.

H. B. 932, a bill to protect sheep and other domestic animals from dogs.

Passes its second and third readings and is ordered enrolled.

H. B. 959, a bill relating to the employment of a court stenographer in Lincoln County.

Passes its second and third readings and is ordered enrolled.

H. B. 938, a bill to reduce the salaries of certain officers of Chowan County.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 63, a bill to repeal chapter 180, Public-Local Laws of 1931, being "An act to protect foxes in Wilkes County."

Upon motion of Senator Blackburn, the bill is laid upon the Table.

S. B. 368, a bill to authorize the appointment of deputies and clerks, office force and assistants for the sheriff of the county of Wake and to provide for their compensation.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 367, a bill to prohibit the setting of steel traps in Greene County.

Passes its second and third readings and is ordered enrolled.

H. B. 704, a bill to amend chapter 206, Public-Local Laws of extra session of 1920, providing compensation for cotton weigher at Enfield.

Passes its second and third readings and is ordered enrolled.

H. B. 752, a bill to amend chapter 51, Public Laws of 1927, relative to the hunting of wild turkeys in Guilford County.

Passes its second and third readings and is ordered enrolled.

H. B. 763, a bill to amend chapter 255 of the Public-Local Laws of 1923, as amended by chapter 347 of the Public-Local Laws of 1923, relating to the salaries of the register of deeds and the clerk of the court of Franklin County.

Passes its second and third readings and is ordered enrolled.

H. B. 764, a bill to amend chapter 291 of the Public-Local Laws of 1931 for the reduction of the salary of the sheriff of Franklin County.

Passes its second and third readings and is ordered enrolled.

The President announces receipt of a letter from United States Senator J. W. Bailey addressed to Honorable Stacey W. Wade, as follows:

March 16, 1933

HONORABLE STACEY W. WADE,  
*Secretary of State,*  
*Raleigh, N. C.*

MY DEAR MR. WADE:

I received your wire, informing me of the Resolution of the General Assembly. Promptly upon receiving it, I presented the Resolution to the Senate, reading it, and at the conclusion stated that I would faithfully execute the will of the State, as expressed by its General Assembly.

The resolution meets with my most hearty approval and I am very grateful for the reinforcement given this great cause by our General Assembly.

I will thank you to inform the General Assembly of my action in the premises.

With all good wishes,

Very truly yours,

J. W. BAILEY.

Upon motion of Senator Bell, the Senate adjourns to meet Monday night at 8:00 o'clock.

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### SIXTY-FIFTH DAY

SENATE CHAMBER,  
MONDAY, March 20, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. T. S. Clarkson, Episcopal Church of Smithfield, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Mrs. Lindsay C. Warren and Ex-Senators Lee Gravely and Dr. Burrus.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Blue: S. B. 410, a bill to amend section 1 of chapter 265 of the Public Laws of 1929, and section 6185 of Consolidated Statutes, in order to make provision for the care of the negro feeble minded.

Referred to Committee on Insane Asylums.



By Senator Kirkpatrick: S. B. 411, a bill to amend section 7880 of the Consolidated Statutes of North Carolina.

Referred to Committee on Finance.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 313, an act relating to the fees for registering Federal crop liens and Federal chattel mortgages.

S. B. 315, an act relative to the incorporated boundary line of the town of Bakersville, and to authorize and empower the clerk of the Superior Court of Mitchell County to appoint successors to members of the board of aldermen of said town who may resign.

S. B. 319, an act to authorize Wayne County to assume certain school building and equipment bonds of school districts in said county.

S. B. 385, an act to amend chapter 368 of the Public-Local Laws of 1911, and amendments thereto, relating to the police court in the town of Canton, Haywood County.

H. B. 201, an act to repeal chapter 134, Public-Local Laws 1927, relating to enforcement of the prohibition law in Cherokee County.

H. B. 311, an act to amend chapter 86 of the Public Laws of 1925, and relating to the power of administrators, executors and collectors to renew obligations of estates.

H. B. 377, an act to amend chapter 170, Laws 1921, relating to standard weight packages of hominy and grits.

H. B. 425, an act to amend chapter 72, Public Laws of 1931, amending section 1659 of the Consolidated Statutes, relative to grounds for absolute divorce.

H. B. 490, an act to amend chapter 358, Public-Local Laws of 1927, as amended by chapter 133, Public-Local Laws of 1931, relative to the enforcement of the Turlington Act in Franklin County.

H. B. 579, an act authorizing the board of county commissioners of Jackson County to assume certain bonded indebtedness of Dillsboro Township.

H. B. 525, an act to amend chapter 97 of the Consolidated Statutes of North Carolina, Volume II, and chapter 164 of the Public Laws of 1929, so as to make the administration of the election laws more economical and more efficient.

H. B. 693, an act to amend Consolidated Statutes No. 6055, sub-section (a26) and Consolidated Statute No. 6055, sub-section (a27) as applicable to holding general elections in Brunswick County.

H. B. 804, an act to fix the compensation of jurors in Durham County.

H. B. 805, an act to provide the regulation of peddlers in the city of Charlotte, North Carolina.

H. B. 814, an act to extend the time for beginning actions against A. J. Fagg, former clerk of Superior Court of Stokes County, and his official bond.

H. B. 819, an act to establish a consolidated governing body for the city of Durham and Durham County.

H. B. 824, an act to repeal chapter 532, Public-Local and Private Laws of 1927, the same being "an act to provide for better enforcement of the prohibition law in Polk and Transylvania Counties."

H. B. 825, an act to amend chapter 372, Public Local Laws of 1931, relating to notices of public sales and foreclosure sales in Hyde County and Gates County.

H. B. 841, an act to authorize the commissioners of Caswell County to levy a special tax for the support of the poor, the maintenance of county health work, and for running the courts of said county.

H. B. 846, an act to amend chapter 490, Private Acts of the General Assembly 1907, so as to permit police officers of the town of Denton to serve process one mile beyond the limits of the town of Denton.

H. B. 848, an act to amend the charter of the city of Lexington and validate certain acts of the city of Lexington.

H. B. 852, an act to fix the amount of the official bond of the clerk of the Superior Court of Yancey County.

H. B. 861, an act to amend the charter of the town of Morehead City so as to provide for the election of chief of police.

H. B. 832, an act to amend chapter 109, Public-Local Laws of 1931, relating to a jury commission for Cherokee County.

H. B. 965, an act to amend chapter 667 of the Public-Local Laws of 1913, relative to conferring appellate jurisdiction upon the recorder's court of Cumberland County.

H. B. 967, an act to repeal chapter 415 of the Public-Local Laws of the General Assembly of North Carolina of 1929, entitled "an act to restore full ballot rights to voters entitled to participate in municipal primaries," in so far as said act applies to the city of Fayetteville in Cumberland County, North Carolina, so that the candidate for alderman for each ward shall be nominated by the electors of such ward.

H. B. 982, an act to require the sheriff, clerk of court and register of deeds for Richmond County to keep a permanent record of receipts and expenditures of their offices.

S. B. 252, an act to close a road and certain streets on the campus of Harris High School at Spruce Pine, North Carolina.

S. R. 300, a joint resolution to pay the expenses of the committee from the Senate and the House of Representatives visiting the Caswell Training School, Kinston, North Carolina.

H. B. 320, an act relating to costs, and to trial by jury in criminal actions tried in the county recorder's court of Mecklenburg County.

S. B. 407, an act to authorize the governing body of the town of Raeford to extend the time for payment of street and sidewalk assessments and to compromise claims therefor for less than the amount of such assessments.

H. B. 367, an act to prohibit the setting of steel traps in Greene County.

H. B. 435, an act relating to hunting wild hogs, raccoon and opossum in Graham County.

H. B. 556, an act to amend section 47, chapter 277, Public Laws of 1919, relating to recorders courts.



H. B. 603, an act to amend section 444 of the Consolidated Statutes, fixing the time within which an action may be brought to recover from a party purchasing crop on which there is a lien.

H. B. 605, an act to amend chapter 291 of the Public-Local Laws of 1931, relative to the salary of the tax collector and the expense of the collection of taxes in Franklin County.

H. B. 630, an act to regulate the fees of the various justices of the peace of Mecklenburg County.

H. B. 698, an act to amend chapter 431 of Public-Local Laws of 1927, and chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County, and providing for election of game commissioners.

H. B. 704, an act to amend chapter 206, Public-Local Laws of extra session of 1920, providing compensation for cotton weigher at Enfield.

H. B. 731, an act to facilitate the sale and consumption of North Carolina farm products.

H. B. 752, an act to amend chapter 51, Public Laws of 1927, relative to the hunting of wild turkeys in Guilford County.

H. B. 763, an act to amend chapter 255 of the Public-Local Laws of 1923, as amended by chapter 347 of the Public-Local Laws of 1923, relating to the salaries of the register of deeds and the clerk of the court of Franklin County.

H. B. 764, an act to amend chapter 291 of the Public-Local Laws of 1931 for the reduction of the salary of the sheriff of Franklin County.

H. B. 771, an act to prevent hunting of wild animals or other game by fire-lighting on the rivers, creeks, streams and other bodies of water in the counties of Bertie, Martin, Washington and Beaufort.

H. B. 811, an act to amend H. B. 90, entitled "An act to add Davidson County, Anson County, Carteret County, Cumberland County, Davie County, Forsyth County, Harnett County, Hoke County, Lee County, Moore County, Wayne County to chapter 273, Public Laws, 1929, relating to the punishment of makers of worthless checks, and to amend the said law," ratified February 8, 1933.

H. B. 835, an act to validate the official acts performed between July 24, 1930, and April 29, 1932, by H. K. Ogburn, notary public for Forsyth County, appointed by His Excellency the Governor of North Carolina, O. Max Gardner, July 24, 1930.

H. R. 884, a joint resolution of the General Assembly of North Carolina, relating to the relief of the counties of Haywood and Swain in the state of North Carolina by reason of their loss in taxable valuation by the establishment of the Great Smoky Mountains National Park.

H. B. 897, an act to permit the commissioner of motor vehicles to advance the date for the reduction in motor vehicle taxes now provided for April 1, 1933.

H. B. 912, an act to prohibit the setting of steel traps in Northampton County.

H. B. 932, an act to protect sheep and other domestic animals from dogs.

H. B. 959, an act relating to the employment of a court stenographer in Lincoln County.

H. B. 997, an act to appoint a board of revaluation and review in Yancey County.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 678, a bill to consolidate the office of county attorney and the office of assistant solicitor and to make the office herein provided for elective.

Referred to Committee on Counties, Cities and Towns.

## HOUSE OF REPRESENTATIVES

*Mr. President:*

March 20, 1933.

It is ordered that a message be sent informing your Honorable Body that the House of Representatives has adopted the report of the Conferees on Senate Bill No. 96, title, "To amend chapter 2, Public Laws 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of Consolidated Statutes, and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission," to the end that if a similar report is adopted by your Body the bill may be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk.*

## CONFERENCE REPORT

Senator Moore, for the conferees appointed to consider the differences arising upon S. B. 96, a bill to amend chapter 2, Public Laws, 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of Consolidated Statutes and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as the Highway and Prison Commission, submits the following report:

*To the President of the Senate, and Speaker of the House of Representatives:*

The undersigned Senate and House conferees recommend:

- (1) That the House recede from its fourth amendment.
- (2) That the Senate accept the House's ninth amendment.
- (3) That the Senate accept the remaining House amendments.

It having been agreed that section 15 of the Appropriation Bill be stricken out so that all receipts therein referred to may be retained by the Highway Commission in lieu of the appropriation of \$546,210.00 which is to be eliminated and stricken from the Appropriation Bill.

Respectfully submitted,

SENATORS: L. I. MOORE,

HAYDEN CLEMENT,

*Conferees on the part of the Senate.*

MESSRS: S. C. BRAWLEY,

R. G. CHERRY,

THOMAS O'BERRY,

*Conferees on the part of the House.*



Upon motion of Senator Moore, the report of the conferees is adopted, and a message having been received from the House of Representatives giving notice of similar action, the bill is ordered enrolled.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 860, a bill authorizing the town of Morehead City to establish a Port Commission for the said town, to prescribe the duties of the said commission and to authorize the said town to cooperate with the said commission in carrying out the purposes and intents of this act, upon third reading.

The bill passes third reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dunagan, Efird, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill—41.

The bill is ordered enrolled.

H. B. 917, a bill repealing and re-enacting House Bill 723, ratified March 6, 1933, being "An act relating to road district bonds heretofore issued by Swain Road District in Swain County and Township Road Bonds heretofore issued by Forney's Creek Township in Swain County," upon third reading.

The bill passes third reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dunagan, Efird, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill—41.

The bill is ordered enrolled.

H. B. 800, a bill regulating the fee for capturing stills in Sampson County.

Passes its second and third readings and is ordered enrolled.

H. B. 855, a bill to amend chapter 61, Public-Local Laws 1929, relating to the salaries of the officers of Moore County.

Passes its second and third readings and is ordered enrolled.

H. B. 889, a bill to place the officers of New Hanover County upon a salary basis, and to fix the salaries of the city commissioners, including the mayor.

Passes its second and third readings and is ordered enrolled.

H. B. 925, a bill to repeal chapter 188, Public-Local Laws 1929, and to amend chapter 521, Public-Local Laws 1921, relating to fees of justices of the peace in Pitt County.

Passes its second and third readings and is ordered enrolled.

H. B. 847, a bill to amend chapter 676 of the Public-Local Laws of 1913, "an act creating a recorder's court for the town of Denton and Emmons Township so as to increase the jurisdiction of said court."

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 221, a bill to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment.

The amendment offered by the Committee is adopted.

Senator Land offers an amendment which is adopted.

Senator Hinsdale offers an amendment which is adopted.

Upon the passage of the bill on its second reading, Senator Kirkpatrick calls for the ayes and noes.

The call is sustained.

The following pairs are announced: Senator Hinsdale, "aye," Senator Ingram, "no"; Senator McNeill of Cumberland "aye," Senator Dempsey "no."

The bill passes second reading, ayes 22, noes 16, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Bell, Blackstock, Bland, Clark, Clement, Dunagan, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Hartsell, Hill, Joyner, Land, Moore, Patton, Rankin, Sparger, Summersill—22.

Those voting in the negative are: Senators Barker, Beatty, Blackburn, Blue, Boggan, Burgin, Corey, Efrid, Francis, Fuller, Hairfield, Kirkpatrick, McBryde, McDuffee, McNeill of Ashe, Noell—16.

Upon objection by Senator Francis to its final passage the bill remains upon the Calendar.

S. B. 381, a bill to provide for funding and refunding of debts of local units of government other than counties, cities and towns, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Dunagan, Efrid, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Summersill—39.

The bill is ordered engrossed.

S. B. 382, a bill to amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds, upon third reading.

Senator Dunagan offers an amendment, held immaterial, which is adopted.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Dunagan, Efrid, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Summersill—39.

The bill is ordered engrossed.

S. B. 383, a bill to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the local government act, being chapter 60 of the Public Laws of 1931; to amend the municipal finance



act as amended, being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the county finance act as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931, upon third reading.

Senator Dunagan offers an amendment, held immaterial, which is adopted.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Dunagan, Eñrd, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Summersill—39.

The bill is ordered engrossed.

Upon motion of Senator Fuller, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

## SIXTY-SIXTH DAY

SENATE CHAMBER,

TUESDAY, March 21, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. R. W. Bradshaw, Jenkins Memorial Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

H. B. 857, a bill to repeal chapter 598, Public-Local Laws of 1923, relating to making out of tax receipts by the register of deeds of Lenoir County, with a favorable report.

H. B. 801, a bill authorizing partial payments on taxes in Sampson County, with a favorable report.

H. B. 996, a bill to create a tax commission for Cherokee County, with a favorable report.

H. B. 783, a bill to provide for the redemption of real estate purchased by Hertford, Hyde or Bertie County and towns therein at tax sales and to provide an extension of time within which to pay delinquent taxes, (applicable also to Gates, Pasquotank and Chowan Counties), with a favorable report.

H. B. 904, a bill validating sale of lands October 5, 1931, by tax collector, city of Southport, for unpaid 1930 taxes, with a favorable report.

H. B. 966, a bill relating to the payment of township highway bonds in McDowell County, with a favorable report.

H. B. 984, a bill concerning the sale of land and other property for taxes in Transylvania County, with a favorable report.

S. B. 397, a bill to allow the tax collector of the town of Star to collect back taxes, with a favorable report.

By Senator McDuffee, for the Committee on Propositions and Grievances:

S. B. 167, a bill to amend chapter 283, of the Public Laws of 1931, being known as "An act to amend section 1681 of the Consolidated Statutes, relating to payment of damages done by dogs," with a favorable report.

S. B. 359, a bill to amend chapter 116, Public Laws of 1919, relative to damage done by dogs as to Pitt County, with a favorable report.

H. B. 88, a bill to prohibit the parking of motor vehicles in the Capitol Square except in cases of emergency, with a favorable report.

H. B. 619, a bill to provide for an election on what shall constitute a lawful fence in Graham County, with a favorable report.

H. B. 810, a bill to exempt Brunswick County from paying for live stock killed by dogs, with a favorable report.

H. B. 437, a bill to amend chapter 466 of the Public-Local Laws of North Carolina, session of 1929, relating to pool rooms, with a favorable report.

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 751, a bill repealing section 3, chapter 48, Public-Local Laws of 1931, placing the sheriff of Madison County on fees, with a favorable report.

H. B. 684, a bill to authorize the commissioners of Haywood County to appoint a tax supervisor and to prescribe his duties and fix his salary, with a favorable report.

H. B. 922, a bill reducing the fees of certain officers of Gates County, with a favorable report.

H. B. 862, a bill fixing the salary of the court stenographer of Catawba County, with a favorable report.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 356, a bill to permit the consolidation of counties by popular vote therein.

S. B. 358, a bill to authorize governing bodies of counties and municipalities to contract for the purpose of carrying on administrative functions at joint expense.

S. B. 357, a bill to permit the annexation of one county by another by popular vote.

S. B. 377, a bill to provide for special judges in North Carolina.

S. B. 381, a bill to provide for funding and refunding of debts of local units of government other than counties, cities and towns.

S. B. 382, a bill to amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds.

S. B. 383, a bill to allow counties, municipalities and other governing units to fund and refund their obligations, to amend the local government act,



being chapter 60 of the Public Laws of 1931, to amend the municipal finance act as amended being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the county finance act as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Walker: S. B. 412, a bill to amend section 1179 of the Consolidated Statutes of North Carolina, relating to payment of dividends by corporations and for other purposes.

Referred to Committee on Judiciary No. 2.

By Senator Burgin: S. B. 413, a bill authorizing municipal corporations to finance the acquisition of water, gas and/or electric plants without ad valorem tax, by pledging the revenue derived from the operation thereof.

Referred to Committee on Finance.

By Senator Ingram, by request: S. B. 414, a bill to fix the compensation of the sheriff of Harnett County and to clarify the law with respect thereto.

Upon motion of Senator Ingram, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Brown: S. B. 415, a bill relating to the appointment of members of the Board of Education for Pender County.

Upon motion of Senator Brown, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hinsdale: S. R. 416, a resolution of the Senate of North Carolina, relating to the salaries of school teachers and employees in the various State departments.

Referred to Committee on Finance.

S. B. 417, a bill to amend sections 6376, 6377 and 6379 of Consolidated Statutes of North Carolina, requiring banks to give bond before qualifying as guardians.

Referred to Committee on Judiciary No. 2.

By Senator Land, by request: S. B. 418, a bill to authorize the issuance of scrip by the Statesville Associated Merchants, Incorporated.

Referred to Committee on Finance.

By Senators Dunagan, Francis, Bailey, Griffin of Chowan and Hairfield: S. B. 419, a bill to create and establish a state fund for the purpose of providing insurance for employers subject to the Workmen's Compensation Act, to provide for the administering said fund and to amend chapter 120, Public Laws, 1929.

Referred to Committee on Insurance.

By Senator Beatty: S. B. 420, a bill to repeal chapter 301, Public-Local Laws of 1927, relative to slot machines in Bladen County.

Referred to Committee on Propositions and Grievances.

By Senator Blackburn, by request: S. B. 421, a bill to abolish the board of county commissioners of Madison County and vest their remaining authority in various boards and commissioners.

Referred to Committee on Judiciary No. 1.

#### PETITIONS AND MEMORIALS

A petition of the united dry forces of North Carolina, relative to legislation at the present session in regard to the sale and manufacture of intoxicating liquors is presented by Senator Burgin and referred to the Committee on Judiciary No. 1.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 662, a bill to amend section 3243 of the Consolidated Statutes, relative to sales.

Referred to Committee on Judiciary No. 2.

H. B. 745, a bill to amend section 1864 of the Consolidated Statutes of North Carolina, relating to depredations of domestic fowls in certain counties.

Referred to Committee on Judiciary No. 2.

H. B. 782, a bill reducing the salaries of certain officers of Wake County.

Referred to Committee on Salaries and Fees.

H. B. 802, a bill to amend chapter 448 of the Public Laws of 1931, relating to cartways, so as to include neighborhood public roads.

Referred to Committee on Public Roads.

H. B. 869, a bill for the relief of a portion of the special road bonded indebtedness of certain townships of Madison County by general levy.

Referred to Committee on Finance.

H. B. 916, a bill to amend chapter 40-A, section 2202, sub-section 10, and section 2202, sub-section 13 of the Consolidated Statutes of North Carolina, relating to investment of funds by guardians.

Referred to Committee on Judiciary No. 1.

H. R. 946, a joint resolution relating to connection of the State highway system with Roanoke Island.

Referred to Committee on Public Roads.

H. B. 970, a bill to amend chapter 344 and chapter 350, Public Local Laws 1931, relating to certain fees of the clerk of Superior Court and register of deeds of Granville County.

Referred to Committee on Salaries and Fees.

H. B. 971, a bill to fix salaries for public officers and their assistants, deputies and stenographers in Granville County.

Referred to Committee on Salaries and Fees.

S. B. 180, a bill to allow the counties, municipalities and other governing agencies to refund tax sales certificates, for concurrence in the House amendments.

Placed upon the Calendar.



## HOUSE OF REPRESENTATIVES

*Mr. President:*

March 21, 1933.

It is ordered that a message be sent your Honorable Body with the information that the House has adopted Conferees Report on House Bill No. 489, title "to amend and rewrite section 6108 of the Consolidated Statutes, relating to enrollment of acts of the General Assembly, and employment of assistance for that purpose," and awaits word from your Body informing the House of the adoption of a similar report, to the end that the bill may be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk.*

## CONFERENCE REPORT

Senator Land for the Conferees appointed to consider the differences arising upon H. B. 499, a bill to amend and rewrite section 6108 of the Consolidated Statutes, relating to the enrollment of acts of the General Assembly and the employment of necessary assistance for that purpose, submits the following report:

March 21, 1933.

*To the Senate and House of Representatives:*

We, the undersigned Conference Committee appointed by the House and Senate to consider the differences arising on House Bill No. 499, title "to amend and rewrite section 6108 of the Consolidated Statutes, relating to the enrollment of acts of the General Assembly and the employment of necessary assistance for that purpose," recommend the following:

1. That the Senate recede from its amendment, designated as No. 1.
2. That the Senate amendment, designated as No. 2, be adopted.

Respectfully submitted,

SENATORS G. M. LAND,

R. M. HANES,

*Conferees on the part of the Senate.*

MESSRS. R. M. COX

O. P. MAKEPEACE,

F. E. THOMAS,

*Conferees on the part of the House.*

Upon motion of Senator Land, the Senate adopts the Conference report, and a message is ordered sent to the House of Representatives informing that Body of such action.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 684, a bill to authorize the commissioners of Haywood County to appoint a tax supervisor and to prescribe his duties and fix his salary.

Passes its second and third readings and is ordered enrolled.

H. B. 221, a bill to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice, and their discipline and disbarment, upon third reading.

Senator Blackstock offers an amendment.

Senator Kirkpatrick offers an amendment.

Senator Dempsey offers an amendment which fails of adoption.

The amendment offered by Senator Kirkpatrick is adopted.

Senator Blackstock withdraws his amendment.

Upon the passage of the bill on its third reading, Senator Corey calls for the ayes and noes.

The call is sustained.

The bill passes third reading, ayes 24, noes 18, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Blackstock, Bland, Clark, Clement, Cross, Dunagan, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Hartsell, Hill, Hinsdale, Land, MacLean, McNeill of Cumberland, Moore, Patton, Sparger, Summersill, Walker, Waynick—24.

Those voting in the negative are: Senators Barker, Beatty, Bell, Blue, Boggan, Brown, Burgin, Corey, Dempsey, Efird, Francis, Fuller, Hairfield, Kirkpatrick, McBryde, McDuffee, McNeill of Ashe, Noell,—18.

The following pairs are announced: Senators Joyner, "aye," Blackburn, "no"; Senators Rankin, "aye," Greene "no."

The bill is ordered returned to the House of Representatives for concurrence in the Senate amendments.

S. B. 40, a bill to amend chapter 51 of the Public Laws of 1927, known as the North Carolina Game Law, and to abolish the office of State Game Warden, and to provide for taking game and wild animals on lands of residents without license.

Upon motion of Senator Fuller, action on the bill is deferred and it is made a special order for Thursday, March 23, 1933.

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole of the State for a term of eight months without the levy of any ad valorem tax therefor.

Senator Aiken moves that action on the bill be deferred until the House of Representatives has passed an appropriations bill and the same is received by this body.

Senator McNeill of Cumberland moves that the rules be suspended and that Senator Moore be permitted to proceed upon a discussion of the motion.

The motion fails to prevail.

The motion of Senator Aiken prevails.

S. B. 327, a bill to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction.

Senator McDuffee offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 354, a bill to amend chapter 87, Public Laws of 1921, relating to cooperative organizations, permitting subsidiary organizations and permitting a limited dealing with products of non-members.



Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 361, a bill to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865 and chapter 56, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in State supported institutions of higher learning in North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 372, a bill to amend section 2471 of the Consolidated Statutes, relative to the order of payment of liens of materialmen and laborers.

Passes its second reading and upon objection by Senator Corey to its final passage, the bill remains upon the Calendar.

S. B. 400, a bill to require the commissioner of banks to file quarterly in the office of the clerk of the Superior Court of every county in the State the names of attorneys and accountants employed by said commissioner, the nature of their employment and a statement showing fees paid said attorneys and accountants in connection with the liquidation of banks located in that county.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 404, a bill to amend chapter 156, Public Laws of 1921, relating to department for inebriates at the State Hospital at Raleigh, North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. R. 998, a joint resolution to pay the expenses of the joint sub-committee visiting the Western Carolina Teachers' College; the Appalachian State Teachers' College and the Eastern Carolina Teachers' College.

Passes its second and third readings and is ordered enrolled.

H. B. 498, a bill to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust.

Upon motion of Senator MacLean, the bill is re-referred to the Committee on Judiciary No. 1.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## SIXTY-SEVENTH DAY

SENATE CHAMBER,

WEDNESDAY, March 22, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. A. R. Freeman, Rector Sacred Heart Cathedral of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Hon. J. Sherwood Upchurch, former member of the House of Representatives, and Hon. Paul Frizzell, Judge of the Superior Court.

Upon motion of Senator Hill, H. B. 362, a bill relating to rate of interest on monthly balances of State funds and of funds in the hands of the commissioner of banks, is taken from the Committee on Banks and Banking and placed upon the Calendar.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Waynick, for the Committee on Constitutional Amendments:

S. B. 320, a bill to call a convention of the people of North Carolina for the purpose of considering the proposed amendment to the constitution of the United States, relating to the Eighteenth Amendment, with a favorable report.

S. B. 351, a bill to provide for a convention to consider and pass upon the proposed amendment to the Constitution of the United States repealing the Eighteenth Amendment thereof as submitted by the Seventy-second Congress, with an unfavorable report.

By Senator Aiken, for the Committee on Courts and Judicial Districts:

H. B. 865, a bill to amend chapter 651 of the Public Laws of 1909, as amended, relating to the municipal court of the city of Greensboro, with a favorable report, as amended.

By Senator Francis, for the Committee on Railroads:

S. B. 235, a bill to promote the safety of employees and travelers upon railroads by requiring common carriers by railroads to man locomotives, trains and other self propelled engines or machines, with competent employees, etc., with an unfavorable report.

By Senator Hanes, for the Committee on Insurance:

S. B. 33, a bill to establish a system of unemployment insurance without liability on the part of the State of North Carolina, and to create an unemployment insurance commission, with a favorable report.

S. B. 215, a bill repealing section 25, chapter 120 of the Public Laws of 1929, and enacting a new section in lieu thereof, with a favorable report.

S. B. 217, a bill to abolish sub-section (c) of section 53, Public Laws of the session of 1929, and enacting a new sub-section in lieu thereof, relating to the workmen's compensation act, with an unfavorable report.

S. B. 218, a bill to amend section 41, chapter 120 of the Public Laws of 1929, increasing the total compensation payable under the North Carolina workmen's compensation act, with an unfavorable report.

S. B. 219, a bill to amend section 11, chapter 120, of the Public Laws of 1929, by adding a sub-section thereto, giving to an injured employee the right of election of remedies, with an unfavorable report.



H. B. 674, a bill to amend section 6300 of the Consolidated Statutes relating to the right of appeal of agent when license has been withdrawn by commissioner of insurance, with an unfavorable report.

S. B. 176, a bill to require insurance companies writing workmen's compensation insurance in North Carolina to deposit with the treasurer of the State of North Carolina funds to protect outstanding liability, with an unfavorable report.

S. B. 213, a bill repealing section 64, chapter 120, of the Public Laws of 1929, and enacting in lieu thereof a new section, with an unfavorable report.

S. B. 214, a bill to repeal section 60, chapter 120, Public Laws of 1929, and enacting a new section in lieu thereof, with an unfavorable report.

H. B. 128, a bill to provide for unincorporated beneficial organizations, associations and/or societies to sue and/or be sued in common name, with a favorable report.

S. B. 317, a bill to amend chapter 279, Public Laws, 1931, the same being "An act to provide for the regulation of workmen's compensation insurance rates," with a favorable report.

S. B. 220, a bill to amend section 40, chapter 120, of the Public Laws of 1929, by adding a new section, with an unfavorable report.

S. B. 283, a bill to amend section 24, chapter 120, of the Public Laws of 1929, relating to the time within which claim must be filed under the Workmen's Compensation Act, with an unfavorable report.

S. B. 399, a bill to amend chapter 120, section 54 (a) of the Public Laws of 1929, (N. C. Ann. Code, Michie, 1931), section 8081 (jjj), relative to procedure before the Industrial Commission, with an unfavorable report.

By Senator Fuller, for the Committee on Game Laws:

H. B. 279, a bill to protect game and fur bearing animals in Beaufort County and prevent the extermination thereof, with a favorable report.

By Senator Rankin, for the Committee on Finance:

H. B. 914, a bill to provide for the listing and valuing of all property, real, personal and mixed, at its true value in money, with a favorable report, as amended.

S. B. 277, a bill to relieve church property in the town of Oriental, Pamlico County from street paving assessments, if approved by a majority of the voters, with an unfavorable report.

#### PETITIONS AND MEMORIALS

The President announces receipt of a petition from the United Dry Forces of North Carolina, relative to manufacture and sale of intoxicating liquors in North Carolina, which is referred to the Committee on Judiciary No. 1.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 327, a bill to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Burgin: S. B. 422, a bill relating to the salaries of the county officials of Montgomery County.

Referred to Committee on Salaries and Fees.

By Senator Hinsdale: S. B. 423, a bill to require common carriers by railroad to file with the corporation commission or its successor reports of all accidents in which personal injuries are involved.

Referred to Committee on Railroads.

By Senator Patton: S. B. 424, a bill relating to a moratorium on foreclosures of mortgages and deeds of trust.

Referred to Committee on Judiciary No. 1.

By Senator Patton: S. B. 425, a bill relating to election of school teachers in Cherokee, Clay, Graham, Macon and Swain counties.

Referred to Committee on Education.

By Senator Bell: S. B. 426, a bill relating to certain bonds of Henderson County.

Referred to Committee on Finance.

By Senators Corey, Beatty and Brown: S. B. 427, a bill to amend the North Carolina Workmen's Compensation Act.

Referred to Committee on Insurance.

## ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 96, an act to amend chapter 2, Public Laws of 1921, and all acts amendatory thereof and additional thereto; and chapter 130 of the Consolidated Statutes and all acts amendatory thereof and additional thereto; and to provide for the consolidation of the State Prison Department and State Highway Commission into a single department to be known as State Highway and Public Works Commission.

H. B. 938, an act to reduce the salaries of certain officers of Chowan County.

H. B. 499, an act to amend and re-write section 6108 of the Consolidated Statutes, relating to the enrollment of acts of the General Assembly, and the employment of necessary assistance for that purpose.

H. B. 555, an act to amend section 48 of chapter 277 of the Public Laws of North Carolina, session 1919, relating to civil jurisdiction of recorder's court.

H. B. 800, an act regulating the fee for capturing stills in Sampson County.

H. B. 855, an act to amend chapter 61, Public-Local Laws 1929, relating to the salaries of the officers of Moore County.

H. B. 860, an act authorizing the town of Morehead City to establish a port commission for the said town, to prescribe the duties of the said commission, and to authorize the said town to coöperate with the said commission in carrying out the purposes and intents of this act.



H. B. 889, an act to place the officers of New Hanover County upon a salary basis and to fix the salaries of the city commissioners, including the mayor.

H. B. 917, an act repealing and re-enacting House Bill No. 723, ratified March 6, 1933, being "An act relating to road district bonds heretofore issued by Swain Road District in Swain County and township road bonds heretofore issued by Forney's Creek Township in Swain County."

H. B. 925, an act to repeal chapter 188, Public-Local Laws, 1929, and to amend chapter 521, Public-Local Laws, 1921, relating to fees of justices of the peace in Pitt County.

H. R. 998, a joint resolution to pay the expenses of the joint sub-committee visiting the Western Carolina Teachers' College; the Appalachian State Teachers' College and the East Carolina Teachers' College.

H. B. 684, an act to authorize the commissioners of Haywood County to appoint a tax supervisor and to prescribe his duties and fix his salary.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 652, a bill to regulate the leasing of storage batteries.

Referred to Committee on Judiciary No. 2.

H. B. 760, a bill to regulate the sale of certain assets of defunct banks.

Referred to Committee on Banks and Banking.

H. B. 664, a bill to amend chapter 124, Public Laws of 1931, known as the Uniform Criminal Extradition Act.

Referred to Committee on Judiciary No. 1.

H. B. 702, a bill to amend chapter 148, Public Laws of 1927, relative to horse-drawn vehicles on highways.

Referred to Committee on Public Roads.

H. B. 935, a bill relating to coöperation for the protection and development of forests under supervision of the State.

Referred to Committee on Conservation and Development.

H. B. 969, a bill relating to the purchase and sale of milk bottles.

Referred to Committee on Agriculture.

H. B. 1022, a bill to regulate duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County.

Referred to Committee on Judiciary No. 2.

H. B. 1023, a bill supplemental to and amending Senate Bill 313, which was ratified on the 20th March, 1933, and entitled "an act relating to the fees for registering Federal Crop liens and Federal mortgages."

Upon motion of Senator Walker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1028, a bill to regulate the compensation of the sheriff of Brunswick County with reference to tax suits.

Referred to Committee on Salaries and Fees.

H. B. 1029, a bill to repeal chapter 107 of the Public-Local Laws, extra session of 1924, and to fix the compensation of the sheriff of Richmond County and to provide for the time of payment thereof.

Placed upon the Calendar.

H. B. 1034, a bill relating to the quadrennial assessment of property for taxation in Macon County.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### CONFERENCE REPORT

Senator Griffin of Chowan, for the Conferees to consider the differences arising upon S. B. 127, a bill to validate certain sales of land for taxes and certificates issued in pursuance thereof, submits the following report:

#### REPORT OF THE HOUSE CONFERENCE COMMITTEE ON SENATE BILL 127, RELATIVE TO THE VALIDATION OF CERTAIN SALES OF LAND FOR TAXES

*Mr. President:*

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the House to Senate Bill 127, validating certain sales of land for taxes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

1. That the House recede from the inclusion of Durham County in the House amendment, and that Durham County be stricken from the provisions thereof.
2. That the House do not recede from its amendment exempting Mecklenburg County from the provisions of the aforesaid bill.

Respectfully submitted,

L. E. GRIFFIN,

JOHN SPRUNT HILL,

*Conferees on the part of the Senate.*

D. E. SCARBOROUGH,

THOMAS O'BERRY,

*Conferees on the part of the House.*

Upon motion of Senator Griffin of Chowan, the Senate adopts the conference report and a message is ordered sent to the House of Representatives informing that Body of such action.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 966, a bill relating to the payment of township highway bonds in McDowell County, upon second reading.

The bill passes second reading, ayes, 38, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross,



Dunagan, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Walker, Waynick—38.

S. B. 359, a bill to amend chapter 116, Public Laws of 1919, relative to damages done by dogs as to Pitt County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 397, a bill to allow the tax collector of the town of Star to collect back taxes.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 619, a bill to provide for an election on what shall constitute a lawful fence in Graham County.

Passes its second and third readings and is ordered enrolled.

H. B. 751, a bill repealing section 3, chapter 48, Public-Local Laws of 1931, placing the sheriff of Madison County on fees.

Passes its second and third readings and is ordered enrolled.

H. B. 783, a bill to provide for the redemption of real estate purchased by Hertford, Hyde or Bertie County and towns therein at tax sales and to provide an extension of time within which to pay delinquent taxes, applicable also to Gates, Pasquotank and Chowan counties.

Passes its second and third readings and is ordered enrolled.

H. B. 801, a bill authorizing partial payments on taxes in Sampson County. Passes its second and third readings and is ordered enrolled.

H. B. 810, a bill to exempt Brunswick County from paying for live stock killed by dogs.

Passes its second and third readings and is ordered enrolled.

H. B. 857, a bill to repeal chapter 598, Public-Local Laws of 1923, relating to making out of tax receipts by the register of deeds of Lenoir County.

Passes its second and third readings and is ordered enrolled.

H. B. 862, a bill fixing the salary of the court stenographer of Catawba County.

Passes its second and third readings and is ordered enrolled.

H. B. 904, a bill validating sale of lands October 5, 1931, by tax collector, city of Southport for unpaid 1930 taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 922, a bill reducing the fees of certain officers of Gates County.

Passes its second and third readings and is ordered enrolled.

H. B. 984, a bill concerning the sale of land and other property for taxes in Transylvania County.

Passes its second and third readings and is ordered enrolled.

H. B. 996, a bill to create a tax commission for Cherokee County.

Passes its second and third readings and is ordered enrolled.

S. B. 180, a bill to allow the counties, municipalities and other governing agencies to refund tax sales certificates, for concurrence in the House amendment.

Upon motion of Senator Clement, the Senate fails to concur in the House amendment and asks for a conference.

The President appoints as conferees on the part of the Senate, Senators Clement and Dunagan and a message is ordered sent to the House of Representatives informing that Body of such action.

H. B. 362, a bill relating to rate of interest on monthly balances of State funds and of funds in the hands of the Commissioner of Banks.

Passes its second and third readings and is ordered enrolled.

H. B. 914, a bill to provide for the listing and valuing of all property, real, personal and mixed at its true value in money.

The first amendment offered by the Committee is adopted.

Senator Moore moves that the Senate go into the Committee of the Whole to consider the bill.

Senator Blackstock makes a substitute motion that action on the bill be deferred and it be made a Special Order at the close of the morning hour tomorrow, at which time the bill with pending amendments is to be considered.

The substitute motion prevails.

Senator Kirkpatrick moves that the bills reported by the Committee on Insurance, relating to the Workmen's Compensation Act be re-referred to some other Committee.

The motion fails to prevail.

Upon motion of Senator Fuller, S. B. 317, a bill to amend chapter 279, Public Laws, 1931, the same being, "An act to provide for the regulation of Workmen's Compensation Insurance Rates," is taken from the Calendar and re-referred to the Committee on Insurance.

Upon motion of Senator Waynick, S. B. 323, a resolution petitioning that federal legislation be enacted by the Congress of the United States to the end that unemployment be reduced through adoption of the short hour day and the short day week in industry, is taken from the Committee on Public Welfare and re-referred to the Committee on Commerce and Labor.

Upon motion of Senator Patton, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## SIXTY-EIGHTH DAY

SENATE CHAMBER,

THURSDAY, March 23, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. H. A. Cox, St. Saviour's Episcopal Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to A. C. Gay, former member of the Legislature, O. M. Mull and I. J. Young.

Upon motion of Senator Burgin, H. B. 935, a bill relating to coöperation for the protection and development of forests under supervision of the State,



is taken from the Committee on Conservation and Development and placed upon the Calendar

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Boggan, for the Committee on Commerce and Labor:

S. B. 275, a bill to more clearly define the duties of the Commissioner of Labor, with a favorable report.

By Senator Grady, for the Committee on Judiciary No. 2.

H. B. 947, a bill to regulate and control the business of transporting passengers for hire by motor vehicles over the public roads of the county of Buncombe and cities and towns in said county, with a favorable report.

H. B. 843, a bill relative to costs in certain criminal cases in the courts of Pasquotank County, with a favorable report.

H. B. 974, a bill to amend charter of the city of Kinston relating to city realty and voting precincts, with a favorable report.

H. B. 475, a bill to prohibit State institutions from engaging in the retail business, with a favorable report, as amended.

H. B. 1022, a bill to regulate duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County, with a favorable report.

H. B. 745, a bill to amend section 1864 of the Consolidated Statutes of North Carolina, relating to depredations of domestic fowls in certain counties, with a favorable report, as amended.

S. B. 412, a bill to amend section 1179 of the Consolidated Statutes of North Carolina, relating to payment of dividends by corporations and for other purposes, with a favorable report.

S. B. 402, a bill relating to the closing of certain stores and filling stations in Pitt County, with a favorable report.

H. B. 652, a bill to regulate the leasing of storage batteries, with a favorable report.

H. B. 960, a bill to validate certain official acts of J. C. Kennedy, notary public of Sampson County, with a favorable report.

H. B. 963, a bill to create the office of tax collector of Watauga County, with a favorable report.

H. B. 662, a bill to amend section 3243 of the Consolidated Statutes relative to sales, with a favorable report.

S. B. 387, a bill relating to the disposition of witness fees and officers' fees in the office of the clerk of the Superior Court of Wilkes County, with a favorable report.

By Senator Long, for the Committee on Public Health:

H. B. 390, a bill to exempt Davie County from the provisions of chapter 119, Public Laws of 1929, and all amendments thereto, regulating the practice of barbering in North Carolina, with a favorable report.

S. B. 318, a bill to improve the sanitary condition of the manufacture of bedding, with a favorable report, as amended.

H. B. 598, a bill to provide for the inspection of the water shed area of the municipal water supply of the city of Durham, with an unfavorable report.

H. B. 675, a bill to amend chapter 34 of Public Laws of 1929, providing for the sterilization of the mentally defective and feeble-minded inmates of charitable and penal institutions of the State of North Carolina, with a favorable report.

By Senator Rankin, for the Committee on Finance.

H. B. 910, a bill to authorize Guilford County and one or more cities therein to consolidate, create and establish agencies, departments and offices to administer jointly tax collecting duties of each body as may be agreed upon by the participants, with a favorable report.

H. B. 880, a bill providing for renewal of notes and mortgages due Columbus County, with a favorable report, as amended.

H. B. 956, a bill to amend chapter 213 of the Public Laws of 1927, relating to the commissions to be paid the present tax collector of Yancey County, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Boggan: S. B. 428, a bill to allow J. F. Martin, former sheriff of Anson County, to collect back taxes.

Upon motion of Senator Boggan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Boggan: S. B. 429, a bill for the relief of J. F. Martin, former sheriff of Anson County.

Upon motion of Senator Boggan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator McNeill of Ashe: S. B. 430, a bill to place the name of Mrs. Malinda Little on the pension roll of North Carolina.

Referred to Committee on Pensions.

By Senator Corey, by request: S. B. 431, a bill to amend chapter 462, of the Public-Local Laws of 1915, relative to domestic fowls running at large in stock law territory in Pitt County.

Referred to Committee on Propositions and Grievances.

By Senator Hill, by request: S. B. 432, a bill relating to a moratorium on foreclosures of mortgages and deeds of trust.

Referred to Committee on Judiciary No. 1.

By Senator MacLean: S. B. 433, a bill to validate chapter 180, Public Laws of 1925, and all amendments thereto, and to validate all acts of county boards of education and boards of county commissioners pursuant to said chapter relating to the assumption of school district debt by counties.

Referred to Committee on Finance.



By Senator Efird: S. B. 434, a bill to authorize the commissioner of motor vehicles to refund license fees paid on vehicles which are totally destroyed during license year.

Referred to Committee on Finance.

By Senator Bagley: S. B. 435, a bill supplemental to and amending an act ratified March 20, 1933, it being H. B. 698 and entitled "An act to amend chapter 431 of Public-Local Laws of 1927, and chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of game commissioners.

Referred to Committee on Game Laws.

By Senator Hinsdale: S. B. 436, a bill to promote improved forestry methods and preserve certain forest lands.

Referred to Committee on Conservation and Development.

By Senator Waynick: S. B. 437, a bill to amend chapter 131 of the Public-Local Laws of 1931, relating to special assessments levied by the city of High Point.

Referred to Committee on Finance.

By Senators Moore, MacLean and Hanes: S. B. 438, a bill to amend chapter 155, Public Laws 1925, so as to transfer the duties of the commissioner of the Veterans Loan Fund to the State Treasurer.

Referred to Committee on Finance.

By Senator Grady: S. B. 439, a bill to divide the board of county commissioners of Johnston County into two classes.

Referred to Committee on Counties, Cities and Towns.

#### PETITIONS AND MEMORIALS

A petition from the citizens of Mitchell County, requesting that this Legislature do not pass any legislation legalizing the manufacture and sale of intoxicating liquors, is presented by Senator Greene and referred to the Committee on Judiciary No. 1.

A petition from citizens of Mitchell, Avery, Yancey and Madison counties asking that the MacLean Bill be passed and that the Governor's recommendations be carried out, is presented by Senator Greene and referred to the Committee on Education.

The President announces receipt of a petition of the United Dry Forces of North Carolina, relative to legislation upon the manufacture and sale of intoxicating liquors, which is referred to the Committee on Judiciary No. 1.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 255, a joint resolution to pay the expenses of the Committee from the Senate and the House of Representatives visiting the State Hospitals at Goldsboro and Morganton.

S. B. 389, an act to relieve certain property in Rowan County to be used for a charitable hospital from taxes and assessments.

H. B. 362, an act relating to rate of interest of monthly balances of State funds, and of funds in the hands of the commissioner of banks.

H. B. 619, an act to provide for an election on what shall constitute a lawful fence in Graham County.

H. B. 751, an act repealing section 3, chapter 48, Public-Local Laws of 1931, placing the sheriff of Madison County on fees.

H. B. 783, an act to provide for the redemption of real estate purchased by Hertford, Hyde or Bertie counties and towns therein at tax sales, and to provide an extension of time within which to pay delinquent taxes, applicable also to Gates, Pasquotank and Chowan counties.

H. B. 801, an act authorizing partial payments of taxes in Sampson County.

H. B. 810, an act to exempt Brunswick County from paying for live stock killed by dogs.

H. B. 857, an act to repeal chapter 598, Public-Local Laws of 1923, relating to making out of tax receipts by the register of deeds of Lenoir County.

H. B. 862, an act fixing the salary of the court stenographer of Catawba County.

H. B. 904, an act validating sale of lands October 5, 1931, by tax collector, city of Southport, for unpaid 1930 taxes.

H. B. 922, an act reducing the fees of certain officers of Gates County.

H. B. 984, an act concerning the sale of land and other property for taxes in Transylvania County.

H. B. 996, an act to create a tax commission for Cherokee County.

H. B. 1023, an act supplemental to and amending Senate Bill 313, which was ratified on the 20th March, 1933, and entitled "An act relating to the fees for registering Federal crop liens and Federal mortgages."

H. B. 1034, an act relating to the quadrennial assessment of property for taxation in Macon County.

H. B. 839, an act to prohibit the use of long haul or drag nets in certain waters in Beaufort, Hyde and Onslow counties.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 839, a bill to prohibit the use of long haul or drag nets in certain waters in Beaufort, Hyde and Onslow counties.

Upon motion of Senator MacLean, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second reading.

Senator Moore objects to its final passage.

Senator MacLean moves that the bill be placed upon its third reading.

The motion prevails.

Passes its third reading and is ordered enrolled.

H. B. 990, a bill to authorize the board of commissioners of Transylvania County to purchase the building known as the Brevard Banking Company building in the town of Brevard.

Referred to Committee on Finance.

H. B. 988, a bill to authorize the creation of the office of tax collector for the county of Jones.

Referred to Committee on Finance.



H. B. 837, a bill to repeal certain sections of chapter 64, Public-Local Laws of North Carolina, session 1931, relating to publication of legal advertisement.

Referred to Committee on Judiciary No. 1.

H. B. 1005, a bill to extend the time for payment of street assessments in the town of Ayden, North Carolina.

Referred to Committee on Finance.

H. B. 1006, a bill relating to licensing shows outside incorporated towns in Caldwell County.

Placed upon the Calendar.

H. B. 1007, a bill extending the license power of the governing board of the city of Lenoir.

Referred to Committee on Counties, Cities and Towns.

H. B. 1008, a bill to amend the charter of the town of Granite Falls.

Referred to Committee on Judiciary No. 1.

H. B. 1020, a bill to divide the board of county commissioners of Johnston County in three classes.

Referred to Committee on Counties, Cities and Towns.

H. B. 1011, a bill to authorize the town of Sanford to refund certain outstanding bonds.

Placed upon the Calendar.

H. B. 1012, a bill to describe and define the limits and boundaries of the city of Saluda, in Polk County.

Referred to Committee on Counties, Cities and Towns.

H. B. 1030, a bill to authorize the issuance of scrip by Tyrrell County.

Referred to Committee on Finance.

H. B. 1032, a bill to allow certain discounts in the payment of delinquent taxes in the town of Beaufort.

Referred to Committee on Finance.

H. B. 1053, a bill to constitute the commissioners of Robeson County Drainage District No. 2 trustees for the funds belonging to said district, and giving said trustees certain powers with reference thereto.

Upon motion of Senator Fuller, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1055, a bill to prevent the killing, selling and shipping calves for veal in Macon County.

Referred to Committee on Agriculture.

H. R. 1056, a joint resolution instructing the Secretary of State to have printed one thousand copies of House Bill No. 158, and to instruct the Local Government Commission to distribute same to the chairmen of the several counties of the State.

Upon motion of Senator Waynick, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
WEDNESDAY, March 22, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the Conferees report on S. B. 127, title, "validating certain sales of land for taxes and certificates issued in pursuance thereof, and when your Body adopts a similar report, you may order the bill enrolled.

Respectfully,

THAD EURE,  
*Principal Clerk of the House.*

The Conferees report having been previously adopted by the Senate, the bill is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
WEDNESDAY, March 22, 1933.

*Mr. President:*

It is ordered that a message be sent your Body with the information that the House has failed to concur in Senate amendments to H. B. 221, title, "to provide for the organization as an agency of the State of North Carolina, of the North Carolina State Bar, and for its regulation, powers, and government, including the admission of lawyers to practice and their discipline and disbarment; and asks for a conference. The Speaker has appointed as Conferees on the part of the House, Messrs. Moss, Hamilton and Warlick.

Respectfully,

THAD EURE,  
*Principal Clerk of the House.*

The President appoints as Conferees on the part of the Senate, Senators Blackstock, Hartsell and Kirkpatrick, and a message is ordered sent to the House of Representatives informing that Body of such action.

HOUSE OF REPRESENTATIVES,  
WEDNESDAY, March 22, 1933.

*Mr. President:*

Pursuant to your notice of non-concurrence in House amendments to S. B. 180, title, "to allow counties, municipalities and other governing agencies to refund tax sales certificates, and the appointment of Conferees. The Speaker has appointed as Conferees on the part of the House, Messrs. Wilson, Groves and Graham.

Respectfully,

THAD EURE,  
*Principal Clerk of the House.*

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 966, a bill relating to the payment of township highway bonds in McDowell County, upon third reading.

The bill passes third reading, ayes 41, noes 0, as follows:



Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dunagan, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McNeill of Ashe, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—41.

The bill is ordered enrolled.

H. B. 935, a bill relating to corporations for the protection and development of forests under supervision of the State.

Passes its second and third readings and is ordered enrolled.

H. B. 1029, a bill to repeal chapter 107 of the Public-Local Laws, extra session of 1924, and to fix the compensation of the sheriff of Richmond County and to provide for the time of payment thereof.

Passes its second and third readings and is ordered enrolled.

H. B. 974, a bill to amend charter of the city of Kinston relating to city realty and voting precincts.

Passes its second and third readings and is ordered enrolled.

#### SPECIAL ORDER

The hour for the consideration of the special order having arrived, the President lays before the Senate H. B. 914, a bill to provide for the listing and valuing of all property, real, personal and mixed at its true value in money.

A second amendment is offered by the Committee.

Upon the adoption of the amendment, Senator Moore calls for the ayes and noes.

The call is sustained.

The amendment is adopted, ayes 30, noes 14, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Beatty, Bell, Blue, Brown, Clark, Clement, Dempsey, Dunagan, Efird, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Kirkpatrick, McDuffee, McNeill of Ashe, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—30.

Those voting in the negative are: Senators Blackburn, Blackstock, Bland, Boggan, Corey, Cross, Francis, Grady, Greene, Land, Long, McBryde, McNeill of Cumberland, Moore—14.

A third amendment is offered by the Committee.

Upon the adoption of the amendment, Senator Moore calls for the ayes and noes.

The call is sustained.

The following Senators explain their vote: Barker, Blackstock, Bland, Hinsdale, Land, Francis, Corey, MacLean, McNeill of Cumberland, Moore and Sparger.

The amendment is adopted, ayes 38, noes 6, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackstock, Bland, Blue, Brown, Clark, Clement, Cross, Dempsey, Dunagan, Efird, Francis, Grady, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McDuffee,

McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—38.

Those voting in the negative are: Senators Corey, Fuller, Griffin of Franklin, McBryde, McNeill of Ashe, Moore—6.

The following pair is announced: Senator Greene, "aye," Senator Blackburn, "no."

Senator Dunagan offers an amendment which is adopted.

Senator Francis offers an amendment which fails of adoption.

Pending discussion, the bill remains upon the Calendar.

Upon motion of Senator Ingram, S. B. 414, a bill to fix the compensation of the sheriff of Harnett County and to clarify the law with respect thereto, is recalled from the House of Representatives.

Upon motion of Senator Francis, H. B. 466, a bill to allow the tax collector of the town of Brevard to receive bonds or notes of said town in payment of special assessments, and H. B. 468, a bill to authorize the tax collector of the town of Brevard to receive bonds on notes of said town in payment of debt service portion of current or delinquent taxes, are taken from the unfavorable Calendar and re-referred to the Committee on Finance.

Senator Rankin moves that the Senate recess to meet tonight at 8:00 o'clock.

Senator Griffin of Franklin offers a substitute motion that the Senate adjourn to meet tomorrow morning at 11:00 o'clock.

The substitute motion prevails.

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## SIXTY-NINTH DAY

SENATE CHAMBER,

FRIDAY, March 24, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rabbi Frederick Frank, Temple Beth Or, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Hon. Walker L. Small, Judge of the Superior Court, and ex-Senators C. C. Cranford and R. C. Bridgers.

Upon motion of Senator Blue, H. B. 957, a bill to provide for the election of trustees for the Troy Special Charter School District at the next municipal election, is taken from the Committee on Education and placed upon the Calendar for immediate consideration.

Upon motion of Senator Patton, H. B. 95, a bill to amend section 1334 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenues in Hertford County, is placed upon the Calendar for immediate consideration.



## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hairfield, for the Committee on Insane Asylums:

S. B. 410, a bill to amend section 1, chapter 265 of Public Laws of 1929, and section 6185 of Consolidated Statutes in order to make provision for the care of the negro feeble-minded, with a favorable report.

H. B. 1008, a bill to amend the charter of the town of Granite Falls, with an unfavorable report.

By Senator Burgin, for the Committee on Conservation and Development:

S. B. 398, a bill to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income, and for the sale of rental thereof on reasonable terms; authorizing the incorporation of limited dividend housing companies, and prescribing the powers, rights and duties thereof; creating a State Board of housing for the purpose of encouraging, approving, assisting, supervising and regulating such activities, prescribing and defining the powers and duties of the board, including supervisory and regulatory powers over limited dividend housing companies engaged in such activities, authorizing the board to fix within certain limits the rentals or purchase price of housing accommodations furnished by limited dividend housing companies, with a favorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 903, a bill to repeal the charter of the town of Connelly Springs, Burke County, with a favorable report.

H. B. 1012, a bill to describe and define the limits and boundaries of the city of Saluda in Polk County, with a favorable report.

H. B. 1020, a bill to divide the board of county commissioners of Johnston County in three classes, with a favorable report.

By Senator Rankin, for the Committee on Finance:

H. B. 1005, a bill to extend the time for payment of street assessments in the town of Ayden, North Carolina, with a favorable report.

H. B. 939, a bill to validate certain sales of property under foreclosure sales, etc., in Stanly County, with a favorable report.

By Senator Bagley, for the Committee on Salaries and Fees:

S. B. 386, a bill to regulate the salaries of officials of Buncombe County, and to reduce the number of employees, with a favorable report.

S. B. 422, a bill relating to the salaries of the county officials of Montgomery County, with a favorable report.

H. B. 971, a bill to fix salaries for public officers and their assistants, deputies and stenographers in Granville County, with a favorable report, as amended.

H. B. 970, a bill to amend chapter 344 and chapter 350, Public-Local Laws 1931, relating to certain fees of the clerk Superior Court and register of deeds of Granville County, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 421, a bill to abolish the board of county commissioners of Madison County and vest their remaining authority in various boards and commissioners, reported without prejudice.

H. B. 826, a bill to repeal section 17 of chapter 142 of Public-Local Laws 1927, the same being an act regulating justices of the peace in Buncombe County, with a favorable report.

H. B. 882, a bill to amend section 473 of the Consolidated Statutes in regard to a special venire from an adjoining county in capital felonies, with an unfavorable report.

H. B. 909, a bill to fix the compensation of jurors in Yancey County, with a favorable report.

H. B. 934, a bill to repeal sections 38, 39, 40, 41 and 42 of chapter 60 of the Public Laws of 1931 in so far as they relate to Greene County, and to relieve the members of the board of county commissioners of Greene County of certain civil and criminal liabilities, with an unfavorable report.

H. B. 977, a bill regulating the pay of jurors in Johnston County, with a favorable report.

H. B. 1032, a bill to allow certain discounts in the payment of delinquent taxes in the town of Beaufort, with a favorable report.

S. B. 426, a bill relating to certain bonds of Henderson County, with a favorable report.

H. B. 875, a bill to validate certain sales of land for taxes and certificates issued in pursuance thereof in Pasquotank County and Elizabeth City, with a favorable report.

H. B. 1030, a bill to authorize the issuance of scrip by Tyrrell County, with a favorable report.

H. B. 803, a bill relating to the use of the proceeds from the collection of certain delinquent taxes in Tyrrell County, with a favorable report.

H. B. 66, a bill relating to the appointment of tax collectors for Hertford County, with a favorable report.

S. B. 434, a bill to authorize the commissioner of motor vehicles to refund license fees paid on vehicles which are totally destroyed during license year, with a favorable report.

H. B. 988, a bill to authorize the creation of the office of tax collector for the county of Jones, with a favorable report.

S. B. 437, a bill to amend chapter 131 of the Public-Local Laws of 1931, relating to special assessments levied by the city of High Point, with a favorable report.

H. B. 303, a bill to validate tax sales of towns and counties, with an unfavorable report.

#### CONFERENCE REPORT

Senator Clement for the conferees appointed to consider the differences arising upon S. B. 180, a bill to allow counties, municipalities, and other governing agencies to refund tax sales certificates, submits the following report:



*To the President of the Senate and the Speaker of the House of Representatives:*

Report of joint conferees of the Senate and House on Senate Bill 180, being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates."

It is recommended:

1. That the Senate accept House amendment No. 1.
2. That the Senate accept House amendment No. 2.
3. That the Senate accept House amendment No. 3.
4. That the House recede from its amendment No. 4.
5. That the House recede from its amendment No. 5.
6. That the Senate accept House amendment No. 6.
7. That the Senate accept House amendment No. 7.
8. That the Senate accept House amendment No. 8.
9. That the House recede from its amendment No. 9 and that the following be adopted as a Joint Conferees amendment in lieu thereof, to wit: *Provided*, that this Act shall not be mandatory in the following counties or municipalities therein, but within the discretion of the governing bodies of the said counties or municipalities therein, to wit: Alleghany, Gaston, Polk, Granville, Catawba, Lincoln, Wilkes, Guilford, Surry, Nash, Moore, Richmond, Camden, Durham, Rockingham and New Hanover.
10. That the House recede from its amendment No. 10.
11. That the House recede from its amendment No. 11.
12. That the House recede from its amendment No. 12.
13. That the House recede from its amendment No. 13.

Respectfully submitted,

HAYDEN CLEMENT,  
STOVER P. DUNAGAN,  
*Conferees on part of the Senate.*

ROBERT F. WILSON,  
ERNEST GRAHAM,  
J. R. BROWN,  
*Conferees on part of the House.*

Upon motion of Senator Clement, the Senate adopts the Conference Report and a message is ordered sent to the House of Representatives informing that Body of such action.

#### ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 127, an act to validate certain sales of land for taxes and certificates issued in pursuance thereof.

S. B. 375, an act to amend chapter 94, Private Laws of 1899, relating to Thompson Institute of Robeson County.

H. B. 935, an act relating to coöperation for the protection and development of forests under supervision of the State.

H. B. 966, an act relating to the payment of township highway bonds in McDowell County.

H. B. 974, an act to amend the charter of the city of Kinston relating to city realty and voting precincts.

H. B. 1029, an act to repeal chapter 107 of the Public-Local Laws, extra session of 1924, and to fix the compensation of the sheriff of Richmond County and to provide for the time of payment thereof.

H. B. 1053, an act to constitute the commissioners of Robeson County Drainage District Number Two, trustees for the funds belonging to said district, and giving said trustees certain powers with reference thereto.

H. R. 1056, a joint resolution instructing the Secretary of State to have printed one thousand (1000) copies of House Bill No. 158, and to instruct the local government commission to distribute same to the chairmen of the boards of county commissioners of the several counties of the State.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Walker: S. B. 440, a bill to amend section 6282 of the Consolidated Statutes of 1919, relating to the selection of newspapers for publication of statements required for insurance companies.

Referred to Committee on Printing.

By Senator Bland: S. B. 441, a bill to amend section 1443 of the Consolidated Statutes, relating to courts of Wayne County.

Referred to Committee on Courts and Judicial Districts.

By Senator Kirkpatrick: S. R. 442, a resolution providing for the railroad fare and other expenses of Hon. Charles M. Johnson, State Treasurer, to New York City in his official capacity for the State.

Referred to Committee on Appropriations.

By Senator Patton: S. B. 443, a bill validating the action of the commissioners of Macon County in postponing the sale of land for taxes in Macon County.

Referred to Committee on Finance.

By Senator Fuller: S. B. 444, a bill to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian Race of Robeson County.

Upon motion of Senator Fuller, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Greene: S. B. 445, a bill to amend section 1443 of volume 3 of the Consolidated Statutes, providing an additional term of court for Mitchell County.

Referred to Committee on Judiciary No. 2.

By Senator Corey: S. B. 446, a bill to amend House Bill 158, setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes to apply to Pitt County.

Referred to Committee on Finance.



## PETITIONS AND MEMORIALS

The President announces receipt of a petition of the United Dry Forces of North Carolina relative to the manufacture and sale of intoxicating liquors in North Carolina, which is referred to the Committee on Judiciary No. 1.

A petition of the United Dry Forces of North Carolina relative to the manufacture and sale of intoxicating liquors in North Carolina, is presented by Senator Noell and referred to the Committee on Judiciary No. 1.

A petition from citizens of Washington and Beaufort Counties asking support of the program of Governor Ehringhaus and particularly enactment of the eight months school bill, is presented by Senator Bailey and referred to the Committee on Education.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 125, a bill to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions and Agencies, and for other purposes, and to reduce salaries of officers, employees and agents.

Referred to Committee on Appropriations to be reported out and made a special order Tuesday, March 28, 1933.

H. B. 448, a bill to amend section 1608 of Volume III of the Consolidated Statutes, bringing the county of Wilkes within the provisions of the General Recorders Court Acts.

Referred to Committee on Courts and Judicial Districts.

H. B. 632, a bill authorizing the board of aldermen of the town of Forest City to exempt all church property in the town of Forest City from street and sidewalk paving assessments now levied and assessed against same.

Referred to Committee on Finance.

H. B. 964, a bill providing for a special levy for special purposes by counties. Referred to Committee on Finance.

H. B. 241, a bill to amend section 1498 of the Consolidated Statutes, relating to removal of cases in courts of justices of the peace.

Referred to Committee on Judiciary No. 2.

H. B. 242, a bill to amend section 10, chapter 135, Public Laws of North Carolina, session 1925, relating to removal of cases in courts of justices of peace.

Referred to Committee on Judiciary No. 2.

H. B. 940, a bill to amend section 1443 of the Consolidated Statutes, fixing the terms of court in the several counties, this bill relating only to the terms of court in Stanly County.

Referred to Committee on Courts and Judicial Districts.

H. B. 958, a bill to amend section 1572 of the Consolidated Statutes as applicable to trials in recorders courts in Henderson County.

Referred to Committee on Judiciary No. 1.

H. B. 972, a bill to provide for a calendar in the criminal courts of Columbus County.

Referred to Committee on Judiciary No. 2.

H. B. 1067, a bill to regulate the drawing of grand jurors in Halifax County.  
Referred to Committee on Judiciary No. 1.

H. B. 1009, a bill to suspend the collection of special school taxes in local tax district No. 1, Beaver Dam Township, Cherokee County, for the period of two years.

Referred to Committee on Finance.

H. B. 1010, a bill to authorize the State Highway Commission to provide for tolls over and to give appropriate highway numbers to the proposed Cape Lookout bridge and highway.

Referred to Committee on Public Roads.

H. B. 1017, a bill to authorize the city of Saluda to accept past due street improvement bonds and coupons as payment on street assessments.

Referred to Committee on Finance.

H. B. 1025, a bill to authorize the collection of certain water rates in the town of Brevard.

Referred to Committee on Judiciary No. 1.

H. B. 1033, a bill relating to payment of indebtedness of special and/or charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in Rutherford County.

Referred to Committee on Finance.

H. B. 1039, a bill for the protection of Mount Pleasant Church and Samaria Church in Ferrells Township, Nash County and Macedonia Church in Coopers Township, Nash County.

Referred to Committee on Judiciary No. 2.

H. B. 1041, a bill to exempt church property used exclusively for religious services and pastors residences from the payment of street paving assessments and sidewalk assessments of the town of Elkin.

Referred to Committee on Finance.

H. B. 1047, a bill to amend chapter 285 of the Public-Local Laws of 1917, relative to fees and compensation of the officers of Hamlet Recorder's Court.  
Placed upon the Calendar.

H. B. 1048, a bill to fix the salaries of the judge and prosecuting attorney of the recorder's court for Richmond County.

Placed upon the Calendar.

H. B. 1061, a bill to repeal chapter 15 of Private Laws 1927, and chapter 75 of Private Laws of 1929, relating to office of chief of police of Marshall, Madison County.

Senator Greene moves that the rules be suspended and the bill be placed upon its immediate readings.

The motion fails to prevail.

Referred to Committee on Counties, Cities and Towns.

H. B. 1066, a bill to allow fishing in the Tennessee River and certain tributaries thereof in Macon County.

Referred to Committee on Fish and Fisheries.

H. B. 1070, a bill to appoint trustees for the Sir Walter Raleigh Memorial Fund.

Referred to Committee on Judiciary No. 1.



H. B. 1079, a bill authorizing the city of Greensboro to issue tax anticipation certificates.

Upon motion of Senator Rankin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1024, a bill to amend Local Government Law relating to issuing and selling bonds for construction of court house in Alleghany County.

Referred to Committee on Finance.

S. B. 105, a bill to regulate the practice of cosmetic art in the State of North Carolina, for concurrence in the House amendment.

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES,

WEDNESDAY, March 23, 1933.

*Mr. President:*

It is ordered that a message be sent your Body with the information that pursuant to your request, we are returning to you for your further consideration, Senate Bill No. 414, title, "to fix the compensation of sheriff of Harnett County, and to clarify the law with respect thereto."

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

Upon motion of Senator Ingram, the vote by which the bill passed its second reading is reconsidered.

Upon motion of Senator Ingram, the bill is re-referred to the Committee on Counties, Cities and Towns.

HOUSE OF REPRESENTATIVES,

THURSDAY, March 24, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has adopted Conferees report on Senate Bill No. 180, title "to allow counties, municipalities and other governing agencies to refund tax sales certificates," and we are sending you this word to the end that when a similar report is adopted by your Body, the bill may be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

The report of the Conferees having been previously adopted by the Senate, the bill is ordered enrolled.

HOUSE OF REPRESENTATIVES,

THURSDAY, March 24, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has failed to concur in Senate amendment to House Bill No. 847, title "to amend chapter 676 of the Public-Local Laws of 1913, An act creating a recorders court for the town of Denton and Emmons Township, so as to increase the jurisdiction of said court," and asks for a

Conference. For your information, the Speaker has appointed as Conferees on the part of the House: Messrs. Olive, Young and Dees.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

The President appoints as Conferees on the part of the Senate, Senators Burgin and Noell, and a message is ordered sent to the House of Representatives informing that Body of such action.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 914, a bill to provide for the listing and valuing of all property, real, personal and mixed at its true value in money.

Senator Gwyn offers an amendment which fails of adoption.

Senators McNeill of Cumberland and Clement offer an amendment which fails of adoption.

Senator Ingram offers an amendment which is adopted.

Senator Moore offers an amendment which fails of adoption.

Senator Moore offers a second amendment which fails of adoption.

Senator Francis offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 957, a bill to provide for the election of trustees for the Troy Special Charter School District at the next municipal election.

Passes its second and third readings and is ordered enrolled.

H. B. 1011, a bill to authorize the town of Sanford to refund certain outstanding bonds.

Upon motion of Senator Cross, the bill is laid upon the Table.

S. B. 387, a bill relating to the disposition of witness fees and officers' fees in the office of the clerk of the Superior Court of Wilkes County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 843, a bill relative to costs in certain criminal cases in the courts of Pasquotank County.

Passes its second and third readings and is ordered enrolled.

H. B. 865, a bill to amend chapter 651 of the Public Laws of 1909 as amended, relating to the municipal court of the city of Greensboro.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 880, a bill providing for renewal of notes and mortgages due Columbus County.

The amendment offered by the Committee is adopted.



The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 910, a bill to authorize Guilford County and one or more cities therein, to consolidate, create and establish agencies, departments and offices to administer jointly tax collecting duties of each body as may be agreed upon by the participants.

Passes its second and third readings and is ordered enrolled.

S. B. 402, a bill relating to the closing of certain stores and filling stations in Pitt County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 95, a bill to amend section 1334 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenues in Hertford County.

Upon motion of Senator Griffin of Chowan, the bill is re-referred to the Committee on Finance.

H. B. 279, a bill to protect game and fur bearing animals in Beaufort County and prevent the extermination thereof.

Passes its second and third readings and is ordered enrolled.

H. B. 437, a bill to amend chapter 466 of the Public-Local Laws of North Carolina, session 1929, relating to pool rooms.

Senator Patton offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 947, a bill to regulate and control the business of transporting passengers for hire by motor vehicles over the public roads of the county of Buncombe and cities and towns in said county.

Passes its second and third readings and is ordered enrolled.

H. B. 956, a bill to amend chapter 213 of the Public Laws of 1927, relating to the commissions to be paid the present tax collector of Yancey County.

Passes its second and third readings and is ordered enrolled.

H. B. 960, a bill to validate certain official acts of J. C. Kennedy, notary public of Sampson County.

Passes its second and third readings and is ordered enrolled.

H. B. 963, a bill to create the office of tax collector of Watauga County.

Passes its second and third readings and is ordered enrolled.

H. B. 1006, a bill relating to licensing shows outside incorporated towns in Caldwell County.

Passes its second and third readings and is ordered enrolled.

H. B. 1022, a bill to regulate duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County.

Passes its second and third readings and is ordered enrolled.

S. B. 105, a bill to regulate the practice of cosmetic art in the State of North Carolina, for concurrence in the House amendment.

Upon motion of Senator Hinsdale, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 33, a bill to establish a system of unemployment insurance without liability on the part of the State of North Carolina, and to create an unemployment insurance commission.

Upon motion of Senator Burgin, the bill is made a special order for Monday night, March 27, 1933.

S. B. 167, a bill to amend chapter 283 of the Public Laws of 1931, being known as "An act to amend section 1681 of the Consolidated Statutes, relating to payment of damages done by dogs."

Passes its second and third readings and is ordered enrolled.

S. B. 40, a bill to amend chapter 51 of the Public Laws of 1927, known as the North Carolina Game Law, and to abolish the office of State Game Warden, and to provide for taking game and wild animals on lands of residents without license.

Upon a point of order being raised by Senator Bailey, under rule 54 to the effect that a bill containing the same subject matter has previously failed to pass its second reading, the bill is laid upon the Table.

S. B. 318, a bill to improve the sanitary conditions of the manufacture of bedding.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 84, a bill to amend section 1 of chapter 336, Public Laws 1931, providing for the reduction of license fees on automobiles.

Upon motion of Senator Cross, action on the bill is deferred until Thursday, March 30, 1933.

H. B. 88, a bill to prohibit the parking of motor vehicles in the Capitol Square except in cases of emergency.

Upon motion of Senator Bailey, the bill is laid upon the Table.

H. B. 128, a bill to provide for unincorporated beneficial organizations, associations and/or societies to sue and/or be sued in common.

Passes its second and third readings and is ordered enrolled.

H. B. 390, a bill to exempt Davie County from the provisions of chapter 119, Public Laws of 1929, and all amendments thereto, regulating the practice of barbering in North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 988, a bill to authorize the creation of the office of tax collector for the county of Jones.

Passes its second and third readings and is ordered enrolled.

H. B. 675, a bill to amend chapter 24 of Public Laws of 1929, providing for the sterilization of the mentally defective and feeble-minded inmates of charitable and penal institutions of the State of North Carolina.

Upon motion of Senator MacLean, the bill is laid upon the Table.

H. B. 662, a bill to amend section 3243 of the Consolidated Statutes, relative to sales.

The bill fails to pass its second reading.

H. B. 745, a bill to amend section 1864 of the Consolidated Statutes of North Carolina, relating to depredations of domestic fowls in certain counties.

The amendment offered by the Committee is adopted.



The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

Upon motion of Senator Corey, H. B. 937, a bill to amend chapter 428 of Public Laws 1931, abolishing penalties in payment of taxes in Pamlico County, is taken from the unfavorable Calendar and re-referred to the Committee on Finance.

Upon motion of Senator Gwyn, Sandy Graham, Jr., son of the Lieutenant-Governor, is extended the courtesies of the lobby and is made an Honorary page of the Senate.

Upon motion of Senator Walker, the Senate adjourns to meet tomorrow morning at 10:00 o'clock at which time only Public-Local bills are to be considered, and when the Senate adjourn tomorrow it adjourn to meet Monday night at 8:00 o'clock.

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## SEVENTIETH DAY

SENATE CHAMBER,

SATURDAY, March 25, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. R. Walker, West Raleigh Presbyterian Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## PETITIONS AND MEMORIALS

The President announces receipt of a resolution from the Legislature of the State of Georgia relative to the regulation of the hours of work of laborers, which is referred to the Committee on Public Welfare.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 633, a bill to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Davie County from the absentee voters law.

Referred to Committee on Election Laws.

H. B. 736, a bill to promote further efficiency in the public schools.

Referred to Committee on Education.

H. B. 795, a bill to amend sections 5960 to 5968, inclusive, of the Consolidated Statutes, exempting Wilkes County from the absentee voters law.

Referred to Committee on Election Laws.

H. B. 851, a bill to amend chapter 84, Private Laws of 1885, relating to time for holding elections in the town of Aulander.

Referred to Committee on Election Laws.

H. B. 874, a bill to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor.

Referred to Committee on Propositions and Grievances.

H. B. 920, a bill to amend section 220 (b) Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities of affiliated or subsidiary corporations.

Referred to Committee on Banks and Banking.

H. R. 923, a resolution endorsing the proposal of President Roosevelt to develop a vast national laboratory in which to combine agricultural development, flood control, power development, and the reclamation of the forests in the valley of the Tennessee River and its tributaries.

Referred to Committee on Conservation and Development.

H. B. 944, a bill relating to and governing contracts between landlord and tenant in agricultural tenancies.

Referred to Committee on Judiciary No. 1.

H. B. 1003, a bill to amend section 2, chapter 165, Private Laws of 1903, relating to the election of the members of the board of trustees of the Mebane School District.

Referred to Committee on Education.

H. B. 777, a bill to amend chapter 441, Public Laws of North Carolina, session 1931, relating to five cents special tax levy in Alexander County, applicable also to Henderson County.

Referred to Committee on Finance.

H. B. 1037, a bill to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the city of Burlington.

Referred to Committee on Agriculture.

H. B. 1040, a bill validating the purchase by the commissioners of the town of Elkin of certain real estate to be used for street and other purposes.

Upon motion of Senator Sparger, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1031, a bill to amend chapters 84, and 424, Public Laws of 1931, and section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Avery, Watauga, Mitchell and Alexander Counties.

Referred to Committee on Courts and Judicial Districts.

H. B. 1042, a bill to extend the jurisdiction of the mayor of the town of Hazelwood.

Referred to Committee on Judiciary No. 1.

H. B. 1060, a bill to amend chapter 115, Private Laws of 1899, relating to the charter of the town of Greenville.

Referred to Committee on Judiciary No. 2.

H. B. 1051, a bill to regulate peddling in the city of Raleigh.

Referred to Committee on Propositions and Grievances.

H. B. 1071, a bill to authorize the governing body of the town of Red Springs to extend the time for payment of street and sidewalk assessments.

Referred to Committee on Finance.



H. B. 1074, a bill to repeal chapter 206, Public-Local Laws of 1931, relating to the stock law in Cedar Island Township, and to re-enact a stock law for a portion of the said township.

Referred to Committee on Agriculture.

H. B. 1075, a bill to amend chapter 76, Private Laws of 1931, relating to the running at large of stock in the village of Portsmouth, Carteret County, so as to exempt ponies and/or horses from the provisions of said act.

Referred to Committee on Agriculture.

H. B. 1084, a bill to validate appointment of registrars and poll holders for the Leaksville Township Recorder's Court elections.

Referred to Committee on Election Laws.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 386, a bill to regulate the salaries of officials of Buncombe County, and to reduce the number of employees.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 875, a bill to validate certain sales of land for taxes and certificates issued in pursuance thereof in Pasquotank County and Elizabeth City.

Passes its second and third readings and is ordered enrolled.

H. B. 903, a bill to repeal the charter of the town of Connelly Springs, Burke County.

Passes its second and third readings and is ordered enrolled.

H. B. 909, a bill to fix the compensation of jurors in Yancey County.

Passes its second and third readings and is ordered enrolled.

H. B. 977, a bill regulating the pay of jurors in Johnston County.

Passes its second and third readings and is ordered enrolled.

H. B. 1005, a bill to extend the time for payment of street assessments in the town of Ayden, North Carolina.

Passes its second and third readings and is ordered enrolled.

S. B. 421, a bill to abolish the board of county commissioners of Madison County and vest their remaining authority in various boards and commissioners.

Senator Greene moves that the bill do lie upon the Table.

The motion fails to prevail and the bill remains upon the Calendar.

Upon motion of Senator Hairfield, H. B. 1008, a bill to amend the charter of the town of Granite Falls, is taken from the unfavorable Calendar and referred to the Committee on Judiciary No. 1.

Upon motion of Senator Patton, the Senate adjourns to meet Monday night at 8 o'clock.

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#### SEVENTY-FIRST DAY

SENATE CHAMBER,

MONDAY, March 27, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Dr. M. A. Barber, Christ Episcopal Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Gwyn, H. B. 1084, a bill to validate appointment of registrars and poll holders for the Leaksville Township recorder's court election, is taken from the Committee on Election Laws and placed upon the Calendar for immediate consideration.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 318, a bill to improve the sanitary conditions of the manufacture of bedding.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators MacLean and Waynick: S. R. 447, a resolution requesting the advisory opinion of the chief justice and the associate justices of the Supreme Court upon S. B. 320 and H. B. 879, providing for the calling of a convention of the people of this State to pass upon the proposed amendment to the Constitution of the United States, repealing the Eighteenth Amendment.

Upon motion of Senator Waynick, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 105, an act to regulate the practice of cosmetic art in the State of North Carolina.

S. B. 272, an act to fix and determine the October term of Surry Superior Court.

S. B. 334, an act to amend chapter 647 of the Public-Local Laws of 1911, relating to the recorder's court of Thomasville.

S. B. 408, an act authorizing the commissioners of Wake County, in their discretion, to defer for two years the foreclosures under deeds of trust and mortgages held in the sinking fund of said county.

H. B. 957, an act to provide for the election of trustees for the Troy Special Charter School District at the next municipal election.

S. B. 180, an act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.



H. B. 128, an act to provide for unincorporated beneficial organizations, associations and/or societies to sue and/or be sued in common name.

H. B. 279, an act to protect game and fur bearing animals in Beaufort County and prevent the extermination thereof.

H. B. 390, an act to exempt Davie County from the provisions of chapter 119 of the Public Laws of 1929, and all amendments thereto, regulating the practice of barbering in North Carolina.

H. B. 843, an act relative to costs in certain cases in the courts of Pasquotank County.

H. B. 875, an act to validate certain sales of land for taxes and certificates issued in pursuance thereof in Pasquotank County and Elizabeth City.

H. B. 903, an act to repeal the charter of the town of Connolly Springs, Burke County.

H. B. 909, an act to fix the compensation of jurors in Yancey County.

H. B. 910, an act to authorize Guilford County and one or more cities therein to consolidate, create and establish agencies, departments and offices to administer jointly tax collecting duties of each body as may be agreed upon by the participants.

H. B. 947, an act to regulate and control the business of transporting passengers for hire by motor vehicles over the public roads of the county of Buncombe and cities and towns in said county.

H. B. 956, an act to amend chapter 213 of the Public Laws of 1927, relating to the commissions to be paid the present tax collector of Yancey County.

H. B. 960, an act to validate certain official acts of J. C. Kennedy, notary public of Sampson County.

H. B. 963, an act to create the office of tax collector of Watauga County.

H. B. 977, an act regulating the pay of jurors in Johnston County.

H. B. 988, an act to authorize the creation of the office of tax collector for the county of Jones.

H. B. 1005, an act to extend the time for payment of street assessments in the town of Ayden, North Carolina.

H. B. 1006, an act relating to licensing shows outside of incorporated towns in Caldwell County.

H. B. 1022, an act to regulate duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County.

H. B. 1040, an act validating the purchase by the commissioners of the town of Elkin of certain real estate to be used for street and other purposes.

H. B. 1079, an act authorizing the city of Greensboro to issue tax anticipation certificates.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 550, a bill to provide for the regulation of automobile liability insurance rates.

Referred to Committee on Insurance.

H. B. 1014, a bill to amend chapter 207, Public Laws 1927, amending section 1443 of the Consolidated Statutes, relating to terms of court for Rutherford and Polk Counties.

Referred to Committee on Courts and Judicial Districts.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 426, a bill relating to certain bonds of Henderson County, upon second reading.

The bill passes second reading, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Kirkpatrick, Land, Long, McBryde, McNeill of Ashe, Noell, Patton, Rankin, Sparger, Waynick—38.

H. B. 1012, a bill to describe and define the limits and boundaries of the city of Saluda, in Polk County, upon second reading.

The bill passes second reading, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Kirkpatrick, Land, Long, McBryde, McNeill of Ashe, Noell, Patton, Rankin, Sparger, Waynick—38.

H. B. 1084, a bill to validate appointment of registrars and poll holders for the Leaksville Township recorder's court election.

Passes its second and third readings and is ordered enrolled.

S. B. 437, a bill to amend chapter 131 of the Public-Local Laws of 1931, relating to special assessments levied by the city of High Point.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 66, a bill relating to the appointment of tax collectors for Hertford County.

Passes its second and third readings and is ordered enrolled.

H. B. 803, a bill relating to the use of the proceeds from the collection of certain delinquent taxes in Tyrrell County.

Passes its second and third readings and is ordered enrolled.

H. B. 939, a bill to validate certain sales of property under foreclosure sales, etc., in Stanly County.

Passes its second and third readings and is ordered enrolled.

H. B. 970, a bill to amend chapter 344 and chapter 350, Public-Local Laws 1931, relating to certain fees of the clerk of the Superior Court and register of deeds of Granville County.

Passes its second and third readings and is ordered enrolled.

H. B. 1020, a bill to divide the board of county commissioners of Johnston County in three classes.

Passes its second and third readings and is ordered enrolled.



H. B. 1030, a bill to authorize the issuance of scrip by Tyrrell County.

Passes its second and third readings and is ordered enrolled.

H. B. 1032, a bill to allow certain discounts in the payment of delinquent taxes in the town of Beaufort.

Passes its second and third readings and is ordered enrolled.

H. B. 1047, a bill to amend chapter 285 of the Public-Local Laws of 1917, relative to fees and compensation of the officers of Hamlet Recorder's Court.

Passes its second and third readings and is ordered enrolled.

H. B. 1048, a bill to fix the salaries of the judge and prosecuting attorney of the recorder's court for Richmond County.

Passes its second and third readings and is ordered enrolled.

#### SPECIAL ORDER

The hour having arrived for the consideration of the Special Order, the President lays before the Senate the Special Order of today, it being, S. B. 33, a bill to establish a system of unemployment insurance without liability on the part of the State of North Carolina, and to create an unemployment insurance commission.

Senator Burgin offers a substitute which is adopted.

The bill passes second reading, ayes 29, noes 8, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Francis, Fuller, Griffin of Chowan, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Long, McNeill of Ashe, McNeill of Cumberland, Noell, Rankin, Sparger, Summersill, Waynick—29.

Those voting in the negative are: Senators Bell, Grady, Griffin of Franklin, Gwyn, Ingram, Kirkpatrick, Land, McBryde—8.

S. B. 275, a bill more clearly to define the duties of the commissioner of labor.

Senator Kirkpatrick offers an amendment which fails of adoption.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 372, a bill to amend section 2471 of the Consolidated Statutes, relative to the order of payment of liens of materialmen and laborers.

Senator Gwyn offers an amendment which is adopted.

Upon motion of Senator McDuffee, action on the bill is deferred and it remains upon the Calendar.

S. B. 398, a bill to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income, and for the sale or rental thereof on reasonable terms; authorizing the incorporation of limited dividend housing companies, and prescribing the powers, rights and duties thereof, creating a State Board of Housing for the purpose of encouraging, approving, assisting, supervising and regulating such activities, prescribing and defining the powers and duties of the board, including supervisory and regulatory powers over limited dividend housing companies engaged in such activities, authorizing the board to fix within certain limits the rentals or purchase price of housing accommodations furnished by limited dividend housing companies.

The bill passes its second reading and upon objection by Senator Blackstock to its final passage, it remains upon the Calendar.

S. B. 410, a bill to amend section 1 of chapter 265 of the Public Laws of 1929, and section 6185 of Consolidated Statutes in order to make provision for the care of the negro feeble-minded.

Passes its second and third readings and is ordered enrolled.

S. B. 434, a bill to authorize the commissioner of motor vehicles to refund license fees paid on vehicles which are totally destroyed during license year.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 475, a bill to prohibit State institutions from engaging in the retail business.

The Committee offers an amendment.

Senator Hairfield offers an amendment.

Senator Bagley offers an amendment.

Senator Gwyn offers an amendment.

Upon motion of Senator Kirkpatrick, the bill with pending amendments is laid upon the Table.

H. B. 652, a bill to regulate the leasing of storage batteries.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## SEVENTY-SECOND DAY

SENATE CHAMBER,

TUESDAY, March 28, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Dr. M. T. Plyler of Durham, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senator J. M. Payne and Hon. James L. Delaney.

The courtesies of the gallery are extended to Wilson Mills School of Johnston County.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

H. B. 466, a bill to allow the tax collector of the town of Brevard to receive bonds or notes of said town in payment of special assessments, with a favorable report.



H. B. 1033, a bill relating to payment of indebtedness of special and/or charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in Rutherford County, with a favorable report.

H. B. 632, a bill authorizing the board of aldermen of the town of Forest City to exempt all church property in the town of Forest City from street and sidewalk paving assessments now levied and assessed against same, with an unfavorable report.

H. B. 350, a bill to coördinate and consolidate the functions of government for Duplin County, and to provide a maximum tax levy for the years 1933 and 1934 of sixty-six and two-thirds cents, with an unfavorable report.

H. B. 1071, a bill to authorize the governing body of the town of Red Springs to extend the time for payment of street and sidewalk assessments, with a favorable report.

H. B. 1024, a bill to amend local government law, relating to issuing and selling bonds for construction of courthouse in Alleghany County, with a favorable report.

H. B. 990, a bill to authorize the board of commissioners of Transylvania County to purchase the building known as the Brevard Banking Company building in the town of Brevard, with a favorable report.

H. B. 468, a bill to authorize the tax collector of the town of Brevard to receive bonds on notes of said town in payment of debt service portion of current or delinquent taxes, with a favorable report.

H. B. 1009, a bill to suspend the collection of special school taxes in local tax district No. 1, Beaverdam Township, Cherokee County, for the period of two years, with a favorable report.

H. B. 869, a bill for the relief of a portion of the special road bonded indebtedness of certain townships of Madison County, by general levy, with a favorable report.

H. B. 1041, a bill to exempt church property used exclusively for religious services and pastors residences, from the payment of street paving assessments and sidewalk assessments in the town of Elkin, with an unfavorable report.

H. B. 1017, a bill to authorize the city of Saluda to accept past due street improvement bonds and coupons as payment on street assessments, with a favorable report.

S. B. 433, a bill to validate chapter 180, Public Laws of 1925, and all amendments thereto, and to validate all acts of county boards of education and boards of county commissioners pursuant to said chapter, relating to the assumption of school district debt by counties, with a favorable report.

H. B. 777, a bill to amend chapter 441, Public Laws of North Carolina, session 1931, relating to five cents special tax levy in Alexander County, with an unfavorable report.

H. B. 964, a bill providing for a special levy for special purposes by counties, with a favorable report.

By Senator Clement, for the Committee on Appropriations:

H. B. 125, a bill to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and for other purposes, and

to reduce salaries of officers, employees and agents, with a favorable report as amended.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator McDuffee, by request: S. B. 448, a bill validating certain deeds and deeds of trust registered in the office of the register of deeds for Vance County.

Referred to Committee on Judiciary No. 1.

By Senator Blackstock: S. B. 449, a bill amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local Tax School District, and defining its powers and duties."

Referred to Committee on Education.

By Senator Blackstock: S. B. 450, a bill relating to the appointment and election of county superintendents of public instruction and district school committeemen.

Referred to Committee on Education.

By Senator Ingram: S. B. 451, a bill allowing and directing the tax collecting authorities in the city of Asheboro to accept bonds in the payment of street assessments and certain taxes.

Referred to Committee on Finance.

#### PETITIONS AND MEMORIALS

A petition of the United Dry Forces of North Carolina, relative to the manufacture and sale of intoxicating liquors in North Carolina, is presented by Senator Noell and referred to the Committee on Judiciary No. 1.

A petition of the United Dry Forces of North Carolina, relative to the manufacture and sale of intoxicating liquors in North Carolina, is presented by Senator McNeill of Ashe and referred to the Committee on Judiciary No. 1.

A petition of citizens requesting that the Legislature pass appropriate legislation to legalize the manufacture and sale of light wines and beer, is presented by Senator Hanes and referred to the Committee on Judiciary No. 1.

A petition of citizens urging the enactment of a beer bill, is presented by Senator Ingram and referred to the Committee on Judiciary No. 1.

A petition of citizens urging the legalization of beer, is presented by Senator Burgin and referred to the Committee on Judiciary No. 1.

A petition of the United Dry Forces of North Carolina, protesting against the legalization of the manufacture and sale of intoxicating liquors, is presented by Senator Ingram and referred to the Committee on Judiciary No. 1.

A petition from the Mount Zion Men's Bible Class opposing the legalization of the sale of light wines and beers in North Carolina, is presented by Senator Kirkpatrick and referred to the Committee on Judiciary No. 1.

A petition of citizens of the city of Charlotte protesting against the Legislature interfering with the Special Charter School District in the city of Charlotte, is presented by Senator Kirkpatrick and referred to the Committee on Education.



A petition of citizens protesting the enactment of a sales tax by this Legislature, is presented by Senator Boggan and referred to the Committee on Finance.

The President announces receipt of petitions from the United Dry Forces of North Carolina relative to the manufacture and sale of intoxicating liquors in North Carolina, which are referred to the Committee on Judiciary No. 1.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 87, a bill to provide for the payment of taxes in monthly installments in Wake County.

Referred to Committee on Finance.

H. B. 896, a bill to provide for jury trials in the General County Court of Bertie County, and for regulating appeals in criminal causes from said court, and providing for waiver of jurisdiction by defendants in criminal causes and offenses less than capital.

Referred to Committee on Judiciary No. 2.

H. B. 960, a bill relating to and governing the election of members of the board of commissioners of Franklin County.

Referred to Committee on Election Laws.

H. B. 1068, a bill to create the office of auditor of Montgomery County and to fix the compensation and duties thereof.

Referred to Committee on Finance.

S. B. 381, a bill to provide for funding and refunding of debts of local units of government other than counties, cities and towns, for concurrence in the House amendments.

Placed upon the Calendar.

S. B. 382, a bill to amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds, for concurrence in the House amendments. Senator Dunagan moves that the Senate concur in the House amendments.

The motion fails to prevail.

The bill is placed upon the Calendar.

H. B. 1093, a bill to authorize the board of commissioners of Lenoir County and the governing bodies of the cities and towns in Lenoir County to acquire evidences of indebtedness and make settlement thereof, and to further extend the powers of said boards and validate acts thereof.

Upon motion of Senator Summersill, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,

MONDAY NIGHT, March 27, 1933

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has failed to concur in Senate amendment to H. B. 914, title "to provide for listing and valuing of all property, real, personal

and mixed at its real value in money," and requests the appointment of a Conference Committee. The Speaker has appointed as conferees on the part of the House, Messrs. Doughton of Alleghany, Everett of Durham, McEachern of Hoke, Cherry of Gaston and White of Northampton.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators Rankin, Dunagan and Fuller, and a message is ordered sent to the House informing that Body of such action.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 426, a bill relating to certain bonds of Henderson County, upon third reading.

The bill passes third reading, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dunagan, Efrd, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Waynick—42.

The bill is ordered sent to the House of Representatives.

H. B. 1012, a bill to describe and define the limits and boundaries of the city of Saluda, in Polk County, upon third reading.

The bill passes third reading, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dunagan, Efrd, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Waynick—42.

The bill is ordered enrolled.

S. B. 422, a bill relating to the salaries of the county officials of Montgomery County.

Upon motion of Senator Burgin, the bill is re-referred to the Committee on Salaries and Fees.

H. B. 971, a bill to fix salaries for public officers and their assistants, deputies and stenographers in Granville County.

Passes its second and third readings and is ordered enrolled.

#### SPECIAL ORDER

The hour having arrived for the consideration of the Special Order, the President lays before the Senate the Special Order of the day, it being H. B. 125, a bill to make appropriations for the maintenance of the State's departments, bureaus, institutions and agencies and for other purposes, and



to reduce salaries of officers, employees and agents, with a favorable report as amended.

Upon motion of Senator Clement, the Senate resolves itself into a Committee of the whole for the consideration of this bill, Senator Grady presiding.

The Committee arises and reports progress as follows:

*Mr. President:*

Your committee having under consideration H. B. 125, a bill to make appropriations for the maintenance of the State's bureaus, institutions and agencies and for other purposes and to reduce salaries of officers, employees and agents, begs leave to report as follows:

Section One: That Title I be left open.

That Title II be adopted as amended.

That Title III be left open.

Respectfully submitted,

SENATOR CLEMENT.

Upon motion of Senator Clement, the report of the Committee as submitted is adopted.

Upon motion of Senator Aiken, the Senate takes a recess untill 8:00 o'clock tonight.

#### EVENING SESSION

SENATE CHAMBER,

TUESDAY, March 28, 1933.

The Senate meets pursuant to recess, and is called to order by Lieutenant-Governor A. H. Graham.

Upon motion of Senator Cross, H. B. 1011, a bill to authorize the town of Sanford to refund certain outstanding bonds, is taken from the Table and placed upon the Calendar for immediate consideration.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them and take their place on the Calendar, as follows:

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 367, a bill to legalize the sale of beers, ales, porter, and/or other light wines containing not more than 3.2 per cent of alcohol by weight, repeal such acts or portions of acts as may be inconsistent herewith, to provide a tax on the sale of the same, provide a means of collection, and to provide a penalty for the violation of the provisions herein contained, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

Senator Francis moves that the bill be placed upon the Calendar for immediate consideration.

The motion prevails.

## ENROLLED BILLS

Senator Eflrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 447, a joint resolution requesting the advisory opinion of the chief justice and the associate justices of the Supreme Court upon Senate Bill 320 and House Bill 879, providing for the calling of a convention of the people of this State to pass upon the proposed amendment to the Constitution of the United States repealing the Eighteenth Amendment.

H. B. 66, an act relating to the appointment of tax collectors for Hertford County.

H. B. 437, an act to amend chapter 466 of the Public-Local Laws of North Carolina, session 1929.

H. B. 652, an act to regulate the leasing of storage batteries.

H. B. 745, an act to amend section 1864 of the Consolidated Statutes of North Carolina, relating to depredations of domestic fowls in certain counties.

H. B. 803, an act relating to the use of the proceeds from the collection of certain delinquent taxes in Tyrrell County.

H. B. 865, an act to amend chapter 651 of the Public Laws of 1909, as amended, relating to the municipal court of the city of Greensboro.

H. B. 880, an act providing for renewal of notes and mortgages due Columbus County.

H. B. 939, an act to validate certain sales of property under foreclosure sales, etc., in Stanly County.

H. B. 970, an act to amend chapter 344 and chapter 350, Public-Local Laws 1931, relating to certain fees of the clerk Superior Court and register of deeds of Granville County.

H. B. 971, an act to fix salaries for public officers and their assistants, deputies and stenographers in Granville County.

H. B. 1012, an act to describe and define the limits and boundaries of the city of Saluda, in Polk County.

H. B. 1020, an act to divide the board of county commissioners of Johnston County in three classes.

H. B. 1030, an act to authorize the issuance of scrip by Tyrrell County.

H. B. 1032, an act to allow certain discounts in the payment of delinquent taxes in the town of Beaufort.

H. B. 1047, an act to amend chapter 285 of the Public-Local Laws of 1917, relative to fees and compensation of the officers of Hamlet Recorder's Court.

H. B. 1048, an act to fix the salaries of the judge and prosecuting attorney of the recorder's court for Richmond County.

H. B. 1084, an act to validate appointment of registrars and pollholders for the Leaksville Township Recorder's Court Election.

H. B. 1093, an act to authorize the board of commissioners of Lenoir County and the governing bodies of the cities and towns in Lenoir County to acquire evidences of indebtedness and make settlement thereof, and to further extend the powers of said boards and validate acts thereof.



## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hinsdale: S. B. 452, a bill amending chapter 213, Private Laws of 1929, relating to the cotton weigher in Raleigh Township, Wake County, N. C.

Upon motion of Senator Hinsdale, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Bland: S. B. 453, a bill providing for the manner of the payment of certain streets, sidewalk and sewer assessment liens in the city of Goldsboro.

Referred to Committee on Finance.

By Senator Joyner: S. B. 454, a bill relating to the sale of property in the town of Seaboard for delinquent taxes for the years 1931 and 1932.

Upon motion of Senator Joyner, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Efird: S. B. 455, a bill to amend chapter 114 of the Private Laws of 1929, relative to regulating opening of gasoline stations and lunch stands in Stanly County on Sunday.

Referred to Committee on Propositions and Grievances.

By Senator Dunagan: S. B. 456, a bill relating to the collection of the amount due the town of Rutherfordton for sale of water and light plants and creating a sinking fund with the amount received.

Referred to Committee on Finance.

By Senator Long: S. B. 457, a bill to prevent the misbranding of milk or cream.

Referred to Committee on Public Health.

By Senator Ingram: S. B. 458, a bill to amend the North Carolina Game Law.

Referred to Committee on Game Laws.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1024, a bill to amend Local Government Law relating to issuing and selling bonds for construction of courthouse in Alleghany County, upon second reading.

The bill passes second reading, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner,

Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—44.

H. B. 1011, a bill to authorize the town of Sanford to refund certain outstanding bonds.

Senator Cross offers an amendment which is adopted, and the bill is placed upon its second reading roll call Calendar.

S. B. 367, a bill to legalize the sale of beers, ales, porter, and/or other light wines containing not more than 3.2 per cent of alcohol by weight, repeal such acts or portions of acts as may be inconsistent herewith, to provide a tax on the sale of the same, provide a means of collection, and to provide a penalty for the violation of the provisions herein contained.

The substitute offered by the Committee is adopted.

Senator Kirkpatrick moves that the bill be made a special order for Thursday, March 30, 1933.

Senator Francis makes a substitute motion that the bill be made a special order when the Appropriations Bill is passed by the Senate.

The substitute motion prevails.

H. B. 125, a bill to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions and Agencies, and for other purposes, and to reduce salaries of officers, employees and agents.

Upon motion of Senator Clement, the Senate resolves itself into a Committee of the Whole to further consider the bill, Senator Grady presiding.

Upon motion of Senator Long, the Committee arises and reports its further progress as follows:

*Mr. President:*

Your Committee having under consideration H. B. 125, a bill to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions, and Agencies, and for other purposes, and to reduce salaries of officers, employees and agents, begs leave to report and recommend as follows:

Section 1. Title III.

That items, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, be adopted as amended. That item 16 be left open. That item 17 be left open. That item 19 be adopted as amended. That item 20 be left open. That items 21, 22 be adopted as amended.

Respectfully submitted,

SENATOR CLEMENT.

Upon motion of Senator Clement, the Senate adopts the report submitted by the Committee.

Upon motion of Senator Clement, the bill is made a special order for tomorrow.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.



## SEVENTY-THIRD DAY

SENATE CHAMBER,

WEDNESDAY, March 29, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Mr. Lex Kluttz, Y. M. C. A., of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senator D. L. Reamer.

Upon motion of Senator Blackstock, S. B. 449, a bill amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local Tax School District and defining its powers and duties," is taken from the Committee on Education and placed upon the Calendar for immediate consideration.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hinsdale, for the Committee on Judiciary No. 1:

H. B. 1008, a bill to amend the charter of the town of Granite Falls, with an unfavorable report.

H. B. 1042, a bill to extend the jurisdiction of the mayor of the town of Hazelwood, with a favorable report.

H. B. 1070, a bill to appoint trustees for the Sir Walter Raleigh Memorial Fund, with a favorable report as amended.

H. B. 1067, a bill to regulate the drawing of grand jurors in Halifax County, with a favorable report.

S. B. 424, a bill relating to a moratorium on foreclosures of mortgages and deeds of trust, with an unfavorable report.

S. B. 432, a bill relating to a moratorium on foreclosures of mortgages and deeds of trust, with an unfavorable report.

H. B. 498, a bill to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

H. B. 958, a bill to amend section 1572 of the Consolidated Statutes as applicable to trials in recorder's courts in Henderson County, with an unfavorable report.

By Senator Blue, for the Committee on Agriculture:

H. B. 1074, a bill to repeal chapter 206, Public-Local Laws of 1931, relating to the stock law in Cedar Island Township, and to re-enact a stock law for a portion of the said township, with an unfavorable report.

S. B. 376, a bill to amend chapter 325 of Public Laws of 1929, relating to the certification of pure-bred crop seeds in North Carolina, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Aiken: S. B. 459, a bill regulating the fees of jurors and witnesses in the courts of Catawba County.

Upon motion of Senator Aiken, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Ingram: S. B. 460, a bill to amend chapter 122, Public Laws 1927, sub-section F, relating to transfer of title and license to motor vehicles as upon inheritance, devise or bequest.

Referred to Committee on Judiciary No. 1.

By Senator Hairfield: S. R. 461, a joint resolution providing for the acceptance of a memorial to Governor Burke and to provide for the transportation and erection of the same.

Referred to Committee on Judiciary No. 2.

By Senator Patton: S. B. 462, a bill supplemental to Senate Bill 335, the same being "A bill to be entitled an act for the relief of the Bank of Franklin and its depositors," ratified on the 8th day of March, 1933.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Walker: S. B. 463, a bill to amend sections 58 and 60 of chapter 148 of the Public Laws of 1927, relating to traffic violation.

Referred to Committee on Judiciary No. 1.

#### PETITIONS AND MEMORIALS

A petition of citizens of the United Dry Forces of North Carolina, protesting any action on the part of the Legislature toward legalizing the manufacture and sale of intoxicating liquors in North Carolina, is presented by Senator MacLean and referred to the Committee on Judiciary No. 1.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 406, a bill to provide for the redemption of real estate sold for taxes for the years 1928, 1929, 1930 and prior years in Buncombe County.

Referred to Committee on Finance.



H. B. 660, a bill to require the fees for which a county is liable under article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes.

Referred to Committee on Finance.

H. B. 1004, a bill to appoint delegates to the Second Interstate Legislative Assembly.

Placed upon the Calendar.

H. B. 1013, a bill to amend chapter 34 of the Public Laws of 1929 of North Carolina, relating to the sterilization of persons mentally defective.

Referred to Committee on Public Welfare.

H. B. 1043, a bill to amend chapter 252, Public Laws 1931, relating to payment of criminal costs before a justice of the peace in Jackson County.

Referred to Committee on Judiciary No. 2.

H. B. 1052, a bill to amend section 1526 of Consolidated Statutes, relating to liability of sureties on bonds to stay execution.

Referred to Committee on Judiciary No. 1.

H. B. 1078, a bill amending the act providing for the extension of special assessments.

Referred to Committee on Finance.

H. B. 1094, a bill validating certain agreements made by the board of commissioners of Haywood County, and the board of aldermen of the town of Waynesville, relating to the reorganization of the Citizens Bank & Trust Company of Waynesville, and to authorize further agreements relating thereto:

Referred to Committee on Banks and Banking.

H. B. 1097, a bill to make the license of privilege taxes issued by the city of Rocky Mount conform to the fiscal year of said city.

Referred to Committee on Finance.

H. B. 1099, a bill authorizing the county commissioners of Graham County, North Carolina, to pay a reward for evidence to convict any person who violates the provisions of any provision of sections 4309, 4311, or 4312, of Consolidated Statutes of North Carolina.

Referred to Committee on Judiciary No. 1.

S. B. 121, a bill to amend chapter 120, Public Laws 1929, the same being known as the Workmen's Compensation Act, so as to provide that employers and employees of electric street railroads may come under the provisions thereof, for concurrence in the House amendment.

Upon motion of Senator Hanes, the Senate fails to concur in the House amendment and asks for a Conference thereon.

The President appoints as Conferees on the part of the Senate, Senators Hanes and Dempsey, and a message is ordered sent to the House informing that Body of such action.

S. B. 181, a bill to amend chapter 86, Public Laws of North Carolina, session 1925, the same being "An act to authorize and empower administrators, executors or collectors of a decedent's estate to renew the obligation of a decedent without incurring personal liability on the part of the administrators, executor, or collector," for concurrence in the House amendment.

Upon motion of Senator Aiken, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 191, a bill to enable poor persons convicted of capital felonies to appeal to the Supreme Court from sentences of death, for concurrence in the House amendment.

Upon motion of Senator Hairfield, the Senate concurs in the House amendment, and the bill is ordered enrolled.

S. B. 206, a bill to amend chapter 402, being "An act to authorize, empower and direct the sheriff and other tax collecting officers in certain counties and municipalities to establish a partial payment plan for the collection of taxes, and to add the counties of Buncombe, Haywood, and Rowan to the provisions of said act, for concurrence in the House amendment.

Upon motion of Senator Blackstock, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 241, a bill to amend section 2578, Consolidated Statutes of North Carolina with reference to devolution of power of sale in mortgage or deed of trust upon death of mortgagee or trustee, for concurrence in the House amendment.

Upon motion of Senator Joyner, the Senate concurs in the House amendment and the bill is ordered enrolled.

HOUSE OF REPRESENTATIVES.

March 29, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body requesting the return of House Bill No. 944, for further consideration by the House of Representatives.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

The bill is ordered returned to the House of Representatives.

#### ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 147, an act to amend sections 84 and 3240 of the Consolidated Statutes of North Carolina, relating to the advertisement of re-sales in proceedings to sell real property to make assets and for partition.

S. B. 229, an act to amend section 150 of the Consolidated Statutes of North Carolina to extend the time for the administration and final settlement of estates.

S. B. 295, an act to make competent evidence of communicated threats against the defendant on pleas of self-defense in cases of assault, assault and battery, and affrays, where deadly weapons are used and serious damage done.



S. B. 311, an act to amend section 1013, Consolidated Statutes of North Carolina.

S. B. 312, an act to amend chapter 146, Laws 1927, so as to eliminate the requirement of an estimate of uncollected taxes to be of the average of the past preceding three years.

S. B. 324, an act to amend section 2285 of the Consolidated Statutes of North Carolina relating to process and jury service issued and under said section.

S. B. 356, an act to permit the consolidation of counties by popular vote therein.

S. B. 357, an act to permit the annexation of one county by another by popular vote.

S. B. 358, an act to authorize governing bodies of counties and municipalities to contract for the purpose of carrying on administrative functions at joint expense.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1024, a bill to amend local government law relating to issuing and selling bonds for construction of court house in Alleghany County, upon third reading.

The bill passes third reading, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, Noell, Patton, Rankin—34.

The bill is ordered enrolled.

H. B. 1011, a bill to authorize the town of Sanford to refund certain outstanding bonds, upon second reading.

The bill passes second reading, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, Noell, Patton, Rankin—34.

H. B. 1033, a bill relating to payment of indebtedness of special and/or charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in Rutherford County, upon second reading.

The bill passes second reading, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, Noell, Patton, Rankin—34.

S. B. 433, a bill to validate chapter 180, Public Laws of 1925, and all amendments thereto, and to validate all acts of county boards of education and

boards of county commissioners pursuant to said chapter relating to the assumption of school district debt by counties, upon second reading.

The bill passes second reading, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—42.

S. B. 449, a bill amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local Tax School District and defining its powers and duties."

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 466, a bill to allow the tax collector of the town of Brevard to receive bonds or notes of said town in payment of special assessments.

Passes its second and third readings and is ordered enrolled.

H. B. 468, a bill to authorize the tax collector of the town of Brevard to receive bonds or notes of said town in payment of debt service portion of current or delinquent taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 990, a bill to authorize the board of commissioners of Transylvania County to purchase the building known as the Brevard Banking Company building in the town of Brevard.

Passes its second and third readings and is ordered enrolled.

H. B. 1009, a bill to suspend the collection of special school taxes in Local Tax District No. 1, Beaverdam Township, Cherokee County, for the period of two years.

Passes its second and third readings and is ordered enrolled.

H. B. 1017, a bill to authorize the city of Saluda to accept past due street improvement bonds and coupons as payment on street assessments.

Passes its second and third readings and is ordered enrolled.

H. B. 1071, a bill to authorize the governing body of the town of Red Springs to extend the time for payment of street and sidewalk assessments.

Passes its second and third readings and is ordered enrolled.

#### SPECIAL ORDER

The hour having arrived for the consideration of the Special Order, the President lays before the Senate the Special Order of the day, it being H. B. 125, a bill to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions and Agencies, and for other purposes, and to reduce salaries of officers, employees and agents.

Upon motion of Senator Clement, the Senate resolves itself into a Committee of the Whole, for the further consideration of the bill, Senator Grady presiding.

Upon motion of Senator Clement, the Committee arises and reports further progress as follows:



*Mr. President:*

Your Committee having under consideration H. B. 125, a bill to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions and Agencies, and for other purposes, and to reduce salaries of officers, employees, and agents, begs leave to report as follows:

Section One—

Title I. Legislative.

That Item 1 be adopted as amended.

Title III. Executive and Administrative.

That Item 16 heretofore left open be adopted as amended.

That Item 17 heretofore left open be adopted as amended.

That Item 20 heretofore left open be adopted as amended.

That Title I in its entirety as amended be adopted.

Title IV. Educational Institutions.

That Item 1 be adopted as amended.

That Items 2, 3, 4 and 5 be adopted as written.

That Item 6 be adopted as amended.

That Items 7, 8, 9, 10, 11, 12 and 13 be adopted as written.

That Title IV as amended in its entirety be adopted.

Respectfully,

SENATOR CLEMENT.

Upon motion of Senator Clement, the report of the Committee, as submitted, is adopted.

Upon motion of Senator Corey, H. B. 674, a bill to amend section 6300 of the Consolidated Statutes, relating to the right of appeal of agents when license has been withdrawn by Commissioner of Insurance, is taken from the unfavorable Calendar and re-referred to the Committee on Insurance.

Upon motion of Senator Kirkpatrick, the Senate takes a recess until 8:00 o'clock tonight.

EVENING SESSION

SENATE CHAMBER,

WEDNESDAY, March 29, 1933.

The Senate meets pursuant to recess, and is called to order by Lieutenant-Governor A. H. Graham.

REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar as follows:

By Senator Burgin, for the Committee on Conservation and Development: S. B. 391, a bill to amend the Municipal Finance Act of North Carolina and more particularly section 2943 of the Consolidated Statutes as amended, with a favorable report.

S. B. 392, a bill to amend section 2806 of Consolidated Statutes of North Carolina so as to authorize cities to fix and collect sewerage service charge, with a favorable report.

S. B. 393, a bill to amend section 2808 of the Consolidated Statutes of North Carolina, relating to municipal light and water plants, with a favorable report.

H. R. 923, a joint resolution endorsing the proposal of President Roosevelt to develop a vast national laboratory in which to combine agricultural development, flood control, power development, and the reclamation of the forests in the valley of the Tennessee River and its tributaries, with a favorable report.

By Senator Hanes, for the Committee on Insurance:

H. B. 550, a bill to provide for the regulation of automobile liability insurance rates, with a favorable report.

H. B. 674, a bill to amend section 6300 of the Consolidated Statutes, relating to the right of appeal of agent when license has been withdrawn by Commissioner of Insurance, with an unfavorable report.

By Senator MacLean, for the Committee on Education:

H. B. 80, a bill to amend chapter 278 of the Public Laws of 1931, relating to the number of members of the board of education of Wilkes County, with a favorable report.

S. B. 345, a bill regulating the purchase and character of the fuel for use in the rural public schools of North Carolina, with a favorable report.

S. B. 450, a bill relating to the appointment and election of county superintendents of public instruction and district school committeemen, with a favorable report.

Upon motion of Senator MacLean, the bill is placed upon the Calendar for immediate consideration.

S. B. 425, a bill relating to election of school teachers in Cherokee, Clay, Graham, Macon and Swain Counties, with a favorable report.

H. B. 736, a bill to promote further efficiency in the public schools, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Long: S. B. 464, a bill to amend section 7067 of the Consolidated Statutes, relating to appointment of a county physician.

Referred to Committee on Public Health.

By Senator Hanes: S. B. 465, a bill creating a central board of assessors for Forsyth County.

Upon motion of Senator Hanes, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:



H. R. 1119, a joint resolution of the General Assembly of North Carolina, relative to the Honorable Josephus Daniels, Ambassador extraordinary and Minister plenipotentiary of the United States to the Republic of Mexico.

Upon motion of Senator Hill, the rules are suspended and the resolution is placed upon its immediate readings.

Senator MacLean offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate amendment.

H. R. 1120, a joint resolution adopted by the General Assembly of North Carolina, relating to the development of Mount Mitchell State Park, and making the same more accessible to the public, and providing for the relief of unemployment under an act of Congress.

Referred to Committee on Conservation and Development.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 450, a bill relating to the appointment and election of county superintendents of public instruction and district school committeemen.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 125, a bill to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions and Agencies, and for other purposes, and to reduce salaries of officers, employees and agents.

Upon motion of Senator Clement, the Senate resolves itself into a Committee of the Whole to further consider the bill, Senator Grady presiding.

Upon motion of Senator Dempsey, the Committee arises and reports progress as follows:

*Mr. President:*

Your Committee having under consideration H. B. 125, a bill to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions and Agencies, and for other purposes, and to reduce salaries of officers, employees and agents, begs leave to report as follows:

#### Section One—

##### Title V.

That Items 1 and 2 be adopted as written.

That Item 3 be adopted as amended.

That Items 4, 5, 6, 7, 8, 9, 10, 11 and 12 be adopted as written.

That Item 13 be adopted as amended.

That Items 14, 15, 16 and 17 be adopted as written.

That the whole of Title V as amended be adopted.

##### Title VI.

That Items 1, 2, 3, 4 as amended be adopted.

That Items 5, 6, 7, 8, 9 and 10 be adopted as written.

That the whole of Title VI as amended be adopted.

##### Title VII.

That the whole of Title VII be adopted as written.

Title VIII.

That the whole of Title VIII be adopted as amended.

Title IX.

That Title IX as amended be adopted.

Title X.

That Items 1, 2, 4, 5, 6 and 7 be adopted as written.

That Item 3 be left open.

Respectfully submitted,

SENATOR CLEMENT.

Upon motion of Senator Clement, the Senate adopts the report of the Committee as submitted.

Upon motion of Senator Long, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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### SEVENTY-FOURTH DAY

SENATE CHAMBER,

THURSDAY, March 30, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Edgar Goold, St. Augustine College of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Dunagan, H. R. 1120, a joint resolution adopted by the General Assembly of North Carolina, relating to the development of Mount Mitchell State Park and making the same more accessible to the public, etc., is taken from the Committee on Conservation and Development and placed upon the Calendar for immediate consideration.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follow:

By Senator Blane, for the Committee on Agriculture:

H. B. 1037, a bill to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the city of Burlington, with a favorable report.

By Senator Noell, for the Committee on Printing:

S. B. 440, a bill to amend section 6282 of the Consolidated Statutes of 1919, relating to the selection of newspapers for publication of statements required for insurance companies, with a favorable report.



By Senator Walker, for the Committee on Election Laws:

H. B. 851, a bill to amend chapter 84, Private Laws of 1885, relating to time for holding elections in the town of Aulander, with a favorable report.

H. B. 980, a bill relating to and governing the election of members of the board of commissioners of Franklin County, with a favorable report.

#### CONFERENCE REPORTS

Senator Blackstock for the Conferees appointed to consider the differences arising upon H. B. 221, a bill relating to the organization as an agency of the State of North Carolina of the North Carolina State Bar, submits the following report:

*To the Senate and House of Representatives:*

Your Conference Committee, having under advisement the Committee Substitute for House Bill No. 221, and the Senate Amendments thereto, relating to the organization as an agency of the State of North Carolina of the North Carolina State Bar hereby recommends the following:

1. That Senate Amendment No. 1 be adopted;
2. That the Senate recede from its Amendment No. 2;
3. That the Senate recede from its Amendment No. 3, and that the following be adopted in lieu thereof: Amend Section II, line 26 by inserting the following between the period and the word "from" in said line: "Upon appeal to the Judge of the Superior Court, the accused shall have the right to have his cause heard by a jury," and by inserting between the word "appeal" and the word "the" in line 27 the words "or the jury."
4. That Senate Amendment No. 4 be adopted.

Respectfully submitted,

C. E. BLACKSTOCK,

L. T. HARTSELL, JR.,

T. L. KIRKPATRICK,

*Conferees on the part of the Senate.*

O. B. MOSS,

JOHN D. WARLICK,

LUTHER HAMILTON,

*Conferees on the part of the House.*

Upon motion of Senator Blackstock, the report of the Conferees is adopted, and a message is ordered sent to the House of Representatives, informing that Body of such action.

Senator Rankin, for the Conferees appointed to consider the differences arising upon H. B. 389, a bill to amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes, submits the following report:

*To the President of the Senate and the Speaker of the House of Representatives:*

Report of Joint Conferees of the Senate and House on House Bill 389, being "An act to amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes."

It is recommended that the House adopt Paragraphs 1, 4 and 5 of the Senate

Amendment, and that the Senate recede from Paragraphs 2 and 3 of its amendment.

Respectfully submitted,

R. L. RANKIN,

L. I. MOORE,

*Conferees on part of the Senate.*

G. A. BARDEN,

ROBERT T. WILSON,

NEAL,

*Conferees on part of the House.*

Upon motion of Senator Rankin, the report of the Conferees is adopted, and a message is ordered sent to the House of Representatives informing that Body of such action.

Senator Rankin, for the Conferees appointed to consider the differences arising upon H. B. 914, a bill to provide for the listing and valuing of all property, real, personal and mixed at its true value in money, submits the following report:

*To the Senate and House of Representatives:*

The undersigned, your Committee on conference, touching the differences between the two houses of the General Assembly in respect to House Bill 914, known as the Machinery Act, beg leave to report that we have carefully considered these differences and recommend:

First: That the House concur in the amendment of the Senate in respect to the proposed tax on the stock of foreign corporations, which amendment is as follows:

"Nor shall any individual stockholder of any foreign corporation be required to list or pay taxes on any share of its capital stock in this State, providing the owner of such shares of stock has complied with the provisions of Section 311½ of the Revenue Act, and the situs of such shares of stock in foreign corporations, owned by residents of this State, for the purposes of this act, is hereby declared to be at the place where said corporation undertakes and carries on its principal business."

Second: That the House concur in the Senate Amendment to Section 304, sub-section 5-a, which is as follows:

"Amend by adding at the end of sub-section 5-a under Section 304 the following: "Provided further that the governing boards of cities and towns shall require a sworn statement to the effect that such bills have not and will not be presented to any board of county commissioners as a debt against that county, or as a credit on taxes due that county."

Third: That the House concur in Senate Amendment to Section 805, sub-section 8, in the last paragraph thereof, as follows:

"By inserting 2% in lieu of the 4% as now written; by inserting 1% in lieu of 3% as now written; by striking out the entire line next to last line thereof, and by inserting ½ of 1% in lieu of the 1% as now written."

Fourth: That the Senate recede from its amendment to Article IV, Section 400, sub-section I, as follows:

"Amend by striking out all after the period following the word "term" in line 24, and inserting in lieu thereof the following: "Provided that such



horizontal reduction or increase or revaluation as may be provided by the board of county commissioners shall not exceed in the aggregate thirty-three and one-third per cent ( $33\frac{1}{3}\%$ ) of the present valuation of the property in said counties."

Fifth: That the House concur in Senate Amendment to Section 402, as follows:

"Amend by striking out the word "first" in line ten, and inserting in lieu thereof the word "third."

Sixth: That the House concur in Senate Amendment known as Committee amendment to Section 521, in which two sub-sections are added numbered respectively ten (10) and eleven (11), as follows:

"Section 10. That all assessments made under the provision of Section 521 shall be subject to appeal by the party assessed to the Superior Court upon notice given within ten days after the assessment is made to be served upon the chairman of the board of commissioners. Upon the service of such notice the clerk to the board shall transmit to the clerk of the Superior Court of the county wherein the property assessed is located all notices, orders and other records, together with all findings of the board with respect to the assessment and the clerk shall enter such appeal upon the civil issue docket of the county when a trial de novo shall be had, the hearing of which shall take priority over all other civil actions. The Superior Court shall, upon such appeal, have the right to modify, confirm or reject in full any such assessment as may have been made by the board of commissioners under and by virtue of the section herein-above referred to and shall have the right and power to find all facts connected with such assessment or to refer any question of fact that may arise back to the board of commissioners for further finding and shall pass upon all matters of law relating to the legality of the assessment fixed by such board of commissioners and from such rulings upon matters of law either party shall have the right of appeal to the Supreme Court.

Section II. That after assessment is made under provision of Section 521, no levies of taxes shall be collectible in cases where the taxpayer appeals to the Superior Court pending the appeal, provided however, before any appeal can be perfected under the provisions of this act the taxpayers shall enter into a bond payable to the board of commissioners in an amount equal to the taxes levied plus twenty-five per cent of the amount of the levy, but in no case shall the bond be for less than \$200.00 (Two Hundred Dollars) and the said bond shall be conditioned upon the payment of all taxes levied by said board of commissioners under Section 521 aforesaid legally determined to be due and the costs of the appeal in case the assessment or any part thereof is made effective by the court.

Respectfully submitted,

R. G. RANKIN,

E. V. INGRAM,

DAVID H. FULLER,

*Members of the Conference Committee on the part of the Senate.*

R. A. DOUGHTON,

R. G. CHERRY,

LAWRENCE McEACHERN,

*Members of the Conference Committee on the part of the House.*

Upon motion of Senator Rankin, the report of the Conferees is adopted, and a message is sent to the House informing that Body of such action.

Senator Fuller, one of the Conferees appointed to consider this bill, submits the following statement, which without objection, is ordered entered in the Journal:

As a member of the Conference Committee relative to the Machinery Act, I signed the report which, among other things, recommended that the House recede from its position on the matter of requiring stocks held in foreign corporations to be taxed ad valorem.

I signed this report solely and simply because I felt that I was representing the Senate which had voted 38 to 6 and therefore was overwhelmingly opposed to the removal of this exemption, and to have refused to sign the report of the Conference Committee, whose duty it was to straighten out a legislative tangle, would have had no beneficial effect.

My personal position is unchanged. The exemption of foreign stocks from taxation should be repealed. To retain this exemption is unjust, unwise and ought not to be allowed.

Respectfully submitted,

DAVID H. FULLER.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Kirkpatrick: S. B. 466, a bill to regulate the sale of milk bottles and containers in Mecklenburg County.

Upon motion of Senator Kirkpatrick, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hinsdale: S. R. 467, a joint resolution of the Senate and House of Representatives of North Carolina, providing for funding of the deficit now outstanding in North Carolina.

Referred to Committee on Banks and Banking.

By Senator Blue: S. B. 468, a bill to amend Committee substitute for Senate Bill 180 so as to regulate the application of its provisions to Scotland County and municipalities therein.

Placed upon the Calendar.

By Senator Greene: S. B. 469, a bill to authorize the board of county commissioners of Mitchell County to levy special taxes for jail fees and court expenses.

Referred to Committee on Finance.

By Senator Greene: S. B. 470, a bill to amend the primary law for Mitchell County regarding second primaries.

Referred to Committee on Election Laws.

#### PETITIONS AND MEMORIALS

A petition from citizens of Yancey County requesting the General Assembly not to take any action regarding prohibition, is presented by Senator Greene and referred to the Committee on Judiciary No. 1.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 918, a bill to amend section 220-E, Consolidated Statutes of 1919, Volume III, as amended, and to limit the powers of the Commissioner of Banks.

Referred to Committee on Banks and Banking.

H. B. 991, a bill to validate certain sales of land for street assessments in the town of Leaksville, and certificates issued in pursuance thereof.

Referred to Committee on Finance.

H. B. 994, a bill to amend section 5168 D, Volume III of the Consolidated Statutes, relative to county boards of pensions.

Referred to Committee on Pensions.

H. B. 1021, a bill to amend chapter 53 of the Public Laws of 1927, being "An act to regulate the manufacture and sale of insecticides and fungicides in North Carolina."

Referred to Committee on Public Health.

H. B. 1026, a bill to amend section 4201 of the Consolidated Statutes, prescribing punishment for manslaughter.

Referred to Committee on Judiciary No. 1.

H. B. 1063, a bill to validate the foreclosure of tax certificates in Polk County.

Referred to Committee on Finance.

H. B. 1064, a bill to provide for the collection of delinquent taxes on real estate in Polk County.

Referred to Committee on Finance.

H. B. 1073, a bill relating to bonds of townships, road districts and township road districts.

Referred to Committee on Finance.

H. B. 1081, a bill to clarify and make certain the provisions of regulation 119 of the Department of Conservation and Development, and to prevent the use of haul or drag nets in the waters of New River in Onslow County.

Referred to Committee on Fish and Fisheries.

H. B. 1086, a bill to authorize the commissioners of the city of Hendersonville and the board of water commissioners of the city of Hendersonville, to cancel assessments against all churches and synagogues located in the city of Hendersonville.

Referred to Committee on Finance.

H. B. 1087, a bill to amend section 6649 of the Consolidated Statutes of North Carolina, session of 1919, relating to practice of dentistry.

Referred to Committee on Public Health.

H. B. 1102, a bill to regulate the sale of milk bottles and containers in Mecklenburg County.

Referred to Committee on Judiciary No. 2.

H. B. 1104, a bill to amend an act entitled "An act to grant a new charter for the town of Pinebluff, Moore County, North Carolina."

Referred to Committee on Counties, Cities and Towns.

H. B. 1113, a bill supplemental and amendatory to S. B. 180, it being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

Referred to Committee on Finance.

H. B. 1114, a bill authorizing the city of Gastonia to issue tax anticipation certificates.

Upon motion of Senator Rankin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1115, a bill to amend H. B. 376, Public-Local Laws of 1933, relating to constable fees in Union County.

Referred to Committees on Salaries and Fees.

H. B. 1116, a bill supplemental to and amendatory of S. B. 180, it being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

Referred to Committee on Finance.

H. B. 906, a bill to amend chapter 87, Public Laws of 1925, and all laws amendatory thereto.

Upon motion of Senator Long, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. R. 1112, a joint resolution by the General Assembly of North Carolina, relating to the development of Fort Macon State Park and vicinity, making the same more accessible and providing for the relief of unemployment under the act of Congress.

Upon motion of Senator MacLean, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

S. B. 184, a bill to amend section 5003 (1), chapter 87-A of the Consolidated Statutes, relative to autopsy, for concurrence in the House substitute.

Placed upon the Calendar.

H. B. 661, a bill to eliminate certain conflicts in the motor vehicle laws and to place certain violations of the motor vehicle laws within the jurisdiction of a justice of the peace by amending chapter 148 of the Public Laws of 1927, chapter 235 of the Public Laws of 1931, and repealing chapters 120 and 230 of the Public Laws of 1927.

Referred to Committee on Judiciary No. 1.

H. B. 863, a bill to amend chapter 122, section 29 of the Public Laws of 1927, relative to motor vehicle license.

Referred to Committee on Finance.

S. B. 56, a bill to repeal sections 3401 and 3402 of article 6, chapter 66 of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 383, a bill to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act, as amended, being sub-chapter 3 of chapter 56 of the Consolidated



Statutes; to amend the County Finance Act, as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931, for concurrence in the House amendment.

Placed upon the Calendar.

H. B. 732, a bill to authorize and direct the State Highway Commission, as soon as practical to prepare, condition and make passable the Turnpike Road connecting the settlements in Washington County and Beaufort County.

Referred to Committee on Public Roads.

S. B. 377, a bill to provide for special judges in North Carolina, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 190, a bill to permit certain persons duly licensed as pharmacists in other states to stand the examination to practice pharmacy, for concurrence in the House amendment.

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES,

WEDNESDAY NIGHT, March 29, 1933.

*Mr. President:*

Pursuant to your notice of non-concurrence in House amendment to S. B. 121, title "To amend chapter 120, Public Laws 1929, same being known, as Workmen's Compensation Act, so as to provide that employers and employees of electric street railroads may come under provisions thereof," the Speaker appoints as conferees on the part of the House: Messrs. Johnson of Pender, Taylor of Mecklenburg and Martin of Buncombe.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 181, an act to amend chapter 86, Public Laws of North Carolina, session 1925, the same being "An act to authorize and empower administrators, executors or collectors of a decedent's estate to renew the obligation of a decedent without incurring personal liability on the part of the administrators, executor or collector."

S. B. 191, an act to enable poor persons convicted of capital felonies to appeal to the Supreme Court from sentences of death.

S. B. 206, an act to amend chapter 402, being "An act to authorize, empower and direct the sheriff and other tax collecting officers in certain counties and municipalities to establish a partial payment plan for the collection of taxes," and to add the counties of Haywood, Rowan and Swain to the provisions of said Act.

S. B. 241, an act to amend section 2578, Consolidated Statutes of North Carolina with reference to devolution of power of sale in mortgage or deed of trust upon death of mortgagee or trustee.

S. B. 397, an act to allow the tax collector of the town of Star to collect back taxes.

S. B. 462, an act supplemental to Senate Bill 335, the same being "A bill to be entitled an act for the relief of the Bank of Franklin and its depositors," ratified on the 8th day of March, 1933.

H. B. 466, an act to allow the tax collector of the town of Brevard to receive bonds or notes of said town in payment of special assessments.

H. B. 468, an act to authorize the tax collector of the town of Brevard to receive bonds on notes of said town in payment of debt service portion of current or delinquent taxes.

H. B. 990, an act to authorize the board of commissioners of Transylvania County to purchase the building known as the Brevard Banking Company building in the town of Brevard.

H. B. 1009, an act to suspend the collection of special school taxes in Local Tax District No. 1, Beaverdam Township, Cherokee County, for the period of two years.

H. B. 1017, an act to authorize the city of Saluda to accept past due street improvement bonds and coupons as payment on street assessments.

H. B. 1024, an act to amend Local Government Law relating to issuing and selling bonds for construction of court house in Alleghany County.

H. B. 1071, an act to authorize the governing body of the town of Red Springs to extend the time for payment of street and sidewalk assessments.

H. R. 1112, a joint resolution by the General Assembly of North Carolina, relating to the development of Fort Macon State Park and vicinity, making the same more accessible, and providing for the relief of unemployment under the act of Congress.

H. R. 1120, a joint resolution adopted by the General Assembly of North Carolina, relating to the development of Mount Mitchell State Park, and making the same more accessible to the public, and providing for the relief of unemployment under an act of Congress.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. R. 1120, a joint resolution adopted by the General Assembly of North Carolina, relating to the development of Mount Mitchell State Park, and making the same more accessible to the public, and providing for the relief of unemployment under an act of Congress.

Passes its second and third readings and is ordered enrolled.

#### SPECIAL ORDER

The hour having arrived for the consideration of the Special Order, the President lays before the Senate the Special Order of the day, it being H. B. 125, a bill to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions and Agencies, and for other purposes, and to reduce salaries of officers, employees and agents.

Upon motion of Senator Clement, the Senate resolves itself into a Committee of the Whole for the further consideration of the bill, Senator Grady presiding:



Upon motion of Senator Clement, the Committee arises and reports further progress as follows:

*Mr. President:*

Your Committee having under consideration H. B. 125, a bill to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions and Agencies, and for other purposes, and to reduce salaries of officers, employees, and agents, begs leave to report as follows:

Section One—

Title X. Debt Service.

That Item 3 heretofore left open be adopted as written.

That the whole of Title X as amended, be adopted as written.

Section Two—

Title XI. Agriculture.

That Item 1 as amended be adopted.

That Item 2 be adopted as written.

That Item 3 as amended be adopted.

That the whole of Title XI as amended be adopted.

Section Three—

Title XII. Highways.

That Item 1 be adopted as written.

That Item 2 as amended be adopted.

That Item 3 as amended be adopted.

That Items 4, 5 and 6 be adopted as written.

That Item 7 be adopted as amended.

That the whole of Title XII as amended be adopted.

That Title XIII in its entirety be adopted as written.

Section Four—

That the whole of section four be stricken out.

Section Five—

That section five as amended be adopted.

Section Six—

That section six as amended be adopted.

Section Seven—

That section seven as amended, be adopted.

Section Eight—

That section eight as amended, be adopted.

That sections 8, 9, 10, 11, 12, 13, 14 and 15 as amended be adopted.

That section 16 be stricken out.

Section Seventeen—

That section seventeen be adopted.

That sections 18, 19, 20, 21, 22, 23, 24 as amended be adopted.

That the bill as amended in its entirety be adopted.

Respectfully submitted,

SENATOR CLEMENT.

Upon motion of Senator Clement, the report is adopted and the bill as amended, is placed upon its second reading.

Senator Blackstock offers an amendment and the President rules the same out of order as not being germane to the matter contained in the bill.

Senator McNeill of Ashe offers an amendment and upon its adoption calls for the ayes and noes.

The call is not sustained.

The amendment fails of adoption.

Senator Gwyn moves that the Senate recess to meet tonight at 8:00 o'clock.

The motion fails to prevail.

The bill as amended passes its second reading.

Senator Gwyn objects to the final passage of the bill.

Senator Bailey moves that the rules be suspended and the bill be placed upon its third reading.

The motion fails to prevail.

Upon motion of Senator Brown, H. B. 350, a bill to coördinate and consolidate the functions of government for Duplin County and to provide a maximum tax levy for the years 1933 and 1934 of 66  $\frac{2}{3}$  cents, is taken from the unfavorable Calendar and referred to the Committee on Counties, Cities and Towns.

Upon motion of Senator Noell, S. B. 440, a bill to amend section 6282 of the Consolidated Statutes of 1919, relating to the selection of newspapers for publication of statements required for insurance companies, is taken from the Calendar and referred to the Committee on Printing.

Upon motion of Senator Hinsdale, H. B. 958, a bill to amend section 1572 of the Consolidated Statutes as applicable to trials in recorder's court in Henderson County, is taken from the unfavorable Calendar and re-referred to the Committee on Judiciary No. 1.

Upon motion of Senator Joyner, the Senate takes a recess to meet tonight at 8:00 o'clock.

## EVENING SESSION

SENATE CHAMBER,

THURSDAY, March 30, 1933.

The Senate meets pursuant to recess, and is called to order by Lieutenant-Governor A. H. Graham.

The courtesies of the floor are extended to ex-Senator J. H. Burnett.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator McDuffee, for the Committee on Counties, Cities and Towns:

H. B. 350, a bill to coördinate and consolidate the functions of government for Duplin County, and to provide a maximum tax levy for the years 1933 and 1934 of sixty-six and two-thirds cents, with an unfavorable report.

H. B. 209, a bill to amend chapter 424, Public-Local Laws 1915, as amended by chapter 72, Public-Local Laws 1929, with a favorable report.

S. B. 439, a bill to divide the board of county commissioners of Johnston County into two classes, with a favorable report.



By Senator Fuller, for the Committee on Game Laws:

H. B. 961, a bill to divert such moneys of the county of Pasquotank yet remaining under the game commission fund to the general fund, with a favorable report.

S. B. 53, a bill to exempt hunters of coyotes, wild cats, foxes and/or crows from payment of hunting license in Cherokee, Clay, Graham, Macon and Swain counties, with an unfavorable report.

S. B. 435, a bill supplemental to and amending an act ratified March 20, 1933, it being House Bill 698 and entitled "An act to amend chapter 431 of Public-Local Laws of 1927, and chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County, and providing for election of game commissioners," with a favorable report.

S. B. 458, a bill to amend the North Carolina Game Law, with a favorable report.

S. B. 396, a bill to amend the North Carolina Game Law, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hill: S. B. 471, a bill to amend section 2751 of the Consolidated Statutes of North Carolina, pertaining to discretionary powers by the State Insurance Department and the local building inspector in Durham County. Referred to Committee on Insurance.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1133, a bill to authorize the city council of the city of Gastonia to extend the time of the payment of special assessments.

Referred to Committee on Finance.

H. B. 1134, a bill authorizing and empowering the commissioners of Gaston County, in their discretion, to defer for three years the foreclosure under deeds of trust and mortgages held in the sinking fund of said county, and to authorize and empower said commissioners to sell real estate now or hereafter held by them for the sinking fund of said county upon such terms as, in their discretion they think proper, but in no case for a period longer than five years.

Referred to Committee on Judiciary No. 1.

H. R. 1140, a joint resolution instructing the Secretary of State to have printed one thousand copies of Senate Bill 180 and House Bill 914, and to instruct the Local Government Commission to distribute same to the chairmen of the several counties of the State.

Upon motion of Senator Fuller, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1138, a bill to amend section 1443 of the Consolidated Statutes of North Carolina, relating to terms of Superior Courts in the Sixth Judicial District.

Referred to Committee on Courts and Judicial Districts.

H. B. 1139, a bill to amend chapter 71 of Private Acts of North Carolina, session 1872-73, relating to the charter of Mooresville in Iredell County.

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES,  
THURSDAY, March 30, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House has adopted the Conference Report on House Bill No. 914, title "To provide for listing and valuing of all property, real, personal and mixed, at its true value in money," and having received notice that your Body has adopted a similar report, the bill is ordered enrolled.

Respectfully,

THAD EURE,  
*Principal Clerk of the House.*

HOUSE OF REPRESENTATIVES,  
THURSDAY, March 30, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House has adopted the Conferees report on House Bill No. 339, title "To amend chapter 145 of the Public Laws of 1931, relating to refund of gasoline taxes," and having received a notice that your Body has adopted a similar report, the bill is ordered enrolled.

Respectfully,

THAD EURE,  
*Principal Clerk of the House.*

HOUSE OF REPRESENTATIVES,  
THURSDAY, March 30, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House has adopted the Conferees report on House Bill No. 221, title "To provide for the organization as an agency of the State of North Carolina, of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice, and their disbarment and discipline," and having received notice that your Body has adopted a similar report, the bill is ordered enrolled.

Respectfully,

THAD EURE,  
*Principal Clerk of the House.*

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:



Senator Gwyn moves that the rules be suspended and the Senate proceed with the consideration of H. B. 125, a bill to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions and Agencies, and for other purposes, and to reduce salaries of officers, employees and agents.

The motion fails to prevail.

H. B. 869, a bill for the relief of a portion of the special road bonded indebtedness of certain townships of Madison County by general levy, upon second reading.

The bill passes second reading, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—46.

H. B. 1033, a bill relating to payment of indebtedness of special and/or charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in Rutherford County, upon third reading.

The bill passes third reading, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—46.

The bill is ordered enrolled.

H. B. 1011, a bill to authorize the town of Sanford to refund certain outstanding bonds, upon third reading.

The bill passes third reading, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—46.

The bill is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 408, a bill to amend chapter 64, Public Laws 1931, to withdraw Edgecombe County from the operating provision of said act.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 406, a bill to amend chapter 126, Public Laws 1931, to withdraw Edgecombe County from the operating provision of said act.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 80, a bill to amend chapter 278 of the Public Laws of 1931, relating to the number of members of the board of education of Wilkes County.

Passes its second and third readings and is ordered enrolled.

H. B. 1042, a bill to extend the jurisdiction of the mayor of the town of Hazelwood.

Passes its second and third readings and is ordered enrolled.

H. B. 1067, a bill to regulate the drawing of grand jurors in Halifax County.

Passes its second and third readings and is ordered enrolled.

S. B. 421, a bill to abolish the board of county commissioners of Madison County and vest their remaining authority in various boards and commissioners.

Senator Corey offers an amendment.

Upon motion of Senator Greene, action on the bill is deferred and it remains upon the Calendar.

S. B. 367, a bill to legalize the sale of beers, ales, porter, and/or other light wines containing not more than 3.2 per cent of alcohol by weight, repeal such acts or portions of acts as may be inconsistent herewith, to provide a tax on the sale of the same, provide a means of collection, and to provide a penalty for the violation of the provisions herein contained, upon second reading.

Senator Waynick offers an amendment.

Senator Clement offers an amendment.

Senator Clement offers a second amendment.

Senator Dunagan offers an amendment.

Senator Ingram offers an amendment which is adopted.

The amendment offered by Senator Dunagan is adopted.

The amendment offered by Senator Clement is adopted.

The second amendment offered by Senator Clement is adopted.

Upon the adoption of the amendment offered by him, Senator Waynick calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 16, noes 31, as follows:

The following pair is announced: Senators Gwyn, "aye," Rankin, "no."

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Bell, Blackstock, Blue, Boggan, Fuller, Greene, Griffin of Chowan, Kirkpatrick, Land, MacLean, McNeill of Ashe, Noell, Waynick—16.

Those voting in the negative are: Senators Aiken, Beatty, Bland, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Grady, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Long, McBryde, McDuffee, McNeill of Cumberland, Moore, Patton, Sparger, Summersill, Walker—31.

The bill passes second reading, ayes 34, noes 14, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Beatty, Bland, Blue, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Grady, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hinsdale, Ingram, Joyner, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Sparger, Summersill, Walker—34.



Those voting in the negative are: Senators Bagley, Barker, Bell, Blackstock, Boggan, Fuller, Greene, Griffin of Chowan, Hill, Kirkpatrick, Land, MacLean, Noell, Waynick—14.

The following Senators explain their vote: Barker, Blackstock, Boggan, Brown, Burgin, Kirkpatrick, Hill and Land.

Upon motion of Senator Dunagan, the bill is made a special order for tomorrow morning.

Upon motion of Senator Burgin, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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### SEVENTY-FIFTH DAY

SENATE CHAMBER,  
FRIDAY, March 31, 1933

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. W. Gilliam, Jr., member of the House of Representatives.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Hon. A. E. White, former member of the House of Representatives.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Long, for the Committee on Public Health:

S. B. 98, a bill to provide for the election and organization of county boards of health, with an unfavorable report as to bill, favorable as to substitute.

By Senator Aiken, for the Committee on Courts and Judicial Districts:

H. B. 448, a bill to amend section 1608 of Volume III of the Consolidated Statutes, bringing the county of Wilkes within the provisions of the general recorder's court acts, with an unfavorable report.

By Senator Walker, for the Committee on Election Laws:

H. B. 379, a bill relative to the holding of elections in the County of Ashe, with a favorable report, as amended.

By Senator Ingram, for the Committee on Public Welfare:

S. B. 216, a bill to increase the number of unemployed and to further encourage activities of the Red Cross relief work in the State, with an unfavorable report.

H. B. 1013, a bill to amend chapter 34 of the Public Laws of 1929 of North Carolina relating to the sterilization of persons mentally defective, with a favorable report.

## MESSAGE FROM THE GOVERNOR

The President announces receipt of a message from His Excellency, Governor J. C. B. Ehringhaus, as follows:

March 31, 1933.

*To the President of the Senate:*

Under authority of a law passed by the General Assembly of 1933, and ratified the 9th day of March, 1933, entitled, "An act to abolish the Corporation Commission and to create the office of Utilities Commissioner and to prescribe and define the functions, powers and duties of such Utilities Commissioner," I hereby nominate Honorable Stanley Winborne to be Utilities Commissioner, and ask your confirmation.

Respectfully submitted,

J. C. B. EHRLINGHAUS, *Governor.*

Upon motion of Senator McNeill of Cumberland, the Senate approves and confirms the appointment of Honorable Stanley Winborne for the position named and for the time specified.

## PETITIONS AND MEMORIALS

A petition of citizens requesting this legislature to legalize the manufacture and sale of beer, is presented by Senator MacLean and referred to the Committee on Judiciary No. 1.

A petition of citizens requesting the enactment of an eight months State supported school system, is presented by Senator Bagley and referred to the Committee on Education.

A petition of citizens requesting this legislature to legalize the manufacture and sale of light wines and beer, is presented by Senator Hill and referred to the Committee on Judiciary No. 1.

A petition of citizens protesting against the enactment of a sales tax by this legislature is presented by Senator Blue and is referred to the Committee on Finance.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hinsdale, by request: S. B. 472, a bill to amend section 6 of Public Laws of 1923, in reference to procedure in zoning by municipalities.

Referred to Committee on Judiciary No. 1.

By Senator Hinsdale: S. B. 473, a bill to authorize and empower the boards of county commissioners of the several counties in the State of North Carolina to pay the actual expenses of their Senators and Representatives in the General Assembly.

Placed upon the Calendar.

By Senator Kirkpatrick: S. B. 474, a bill to amend Senate Bill 175, relating to the office of treasurer-tax collector of Mecklenburg County.

Upon motion of Senator Kirkpatrick, the rules are suspended and the bill is placed upon its immediate readings.



Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Bland: S. B. 475, a bill to authorize the governing agencies in Wayne County to acquire their own obligations.

Referred to Committee on Finance.

By Senators Joyner, Francis and Blackstock: S. B. 476, a bill to provide that the sale of lime produced by convict labor be confined to the various State Departments and its sub-divisions.

Referred to Committee on Penal Institutions.

By Senator Barker: S. B. 477, a bill fixing the venue of civil actions for the foreclosure of liens and chattel mortgages.

Referred to Committee on Judiciary No. 1.

By Senator Barker: S. B. 478, a bill limiting the jurisdiction of courts inferior to the Superior Court in controversies between citizens of different counties.

Referred to Committee on Judiciary No. 1.

By Senator Walker: S. B. 479, a bill to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the town of Graham.

Placed upon the Calendar.

#### ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 167, an act to amend chapter 283 of the Public Laws of 1931, being known as "An act to amend section 1681 of the Consolidated Statutes, relating to payment of damages done by dogs."

S. B. 281, an act to enable counties to establish district jails.

S. B. 273, an act amending chapter 117 of the Public-Local Laws of North Carolina, session 1921, regulating the fees of the sheriff of Scotland County.

S. B. 450, an act relating to the appointment and election of county superintendents of public instruction and district school committeemen.

S. B. 454, an act relating to the sale of property in the town of Seaboard for delinquent taxes for the years 1931 and 1932.

H. B. 906, an act to amend chapter 87, Public Laws of 1925, and all laws amendatory thereof.

H. B. 1114, an act authorizing the city of Gastonia to issue tax anticipation certificates.

H. R. 1119, a joint resolution of the General Assembly of North Carolina, relative to the Honorable Josephus Daniels, Ambassador Extraordinary and Minister Plenipotentiary of the United States to the Republic of Mexico.

H. R. 1140, a joint resolution instructing the Secretary of State to have printed one thousand copies of Senate Bill 180 and House Bill 914, and to instruct the Local Government Commission to distribute same to the chairmen of the board of county commissioners of the several counties of the State.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 10, a bill to provide a method for re-adjustment of the indebtedness of counties and municipalities with creditors and holders of securities, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 134, a bill to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs, and persons insane, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 238, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue, and to require the said patrol to perform other and additional duties to those prescribed by the Acts of 1929, chapter 218, and the Act of 1931, chapter 381, and to transfer the illuminating oil, gas and lubricating oil inspection division to the Department of Revenue, and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture, and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors of motor vehicle inspectors; for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 258, a bill to amend chapter 6 of the Consolidated Statutes of North Carolina on bastardy, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 299, a bill to validate judgments under which contingent remainders and executory devises have been partitioned, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 306, a bill to amend sections 6, 7, and 10, chapter 435, Public-Local Laws 1913, relating to fees of officers of Catawba County, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 361, a bill to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865, and chapter 56, Private Laws 1925, in so far as they are in conflict with this Act, and to require the payment of tuition by all students in State supported institutions of higher learning in North Carolina, for concurrence in the House amendments.

Placed upon the Calendar.

S. B. 546, a bill by which the service of notice of summons by publication can be permanently proven by record.

Referred to Committee on Judiciary No. 1.

H. B. 941, a bill to amend chapter 71, Public Laws 1931, regulating mutual burial associations.

Placed upon the Calendar.



H. B. 968, a bill to provide for competitive bidding for construction or repair work, or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina, or the subdivisions thereof.

Referred to Committee on Judiciary No. 1.

H. B. 978, a bill to authorize the board of commissioners of Lenoir County to fix the salaries of the county officers of Lenoir County.

Referred to Committee on Salaries and Fees.

H. B. 995, a bill fixing the salary as a coroner of Johnston County.

Referred to Committee on Salaries and Fees.

H. B. 1015, a bill to amend section 473 of the Consolidated Statutes in regard to additional jurors from other counties instead of removal (not applicable to Ashe County and Durham County).

Referred to Committee on Judiciary No. 1.

H. B. 1019, a bill to regulate the salaries of public officials in Transylvania County, and for other purposes.

Referred to Committee on Salaries and Fees.

H. B. 1045, a bill to make the possession of machine guns and other like weapons unlawful.

Referred to Committee on Judiciary No. 2.

H. B. 1069, a bill fixing the compensation of the clerk of the Superior Court, register of deeds and sheriff of Montgomery County, and the duties thereof.

Referred to Committee on Salaries and Fees.

H. B. 1091, a bill to limit the time in which actions may be maintained to recover deficiency judgments after the foreclosure of mortgages and deeds of trust on real estate.

Referred to Committee on Judiciary No. 2.

H. B. 1098, a bill to amend chapter 342, Private Laws 1901, relating to Scotland Neck.

Referred to Committee on Counties, Cities and Towns.

H. B. 1101, a bill to extend the time for service of summons in tax suits instituted by the city of Southport.

Referred to Committee on Finance.

H. B. 1106, a bill to amend section 2751 of the Consolidated Statutes of North Carolina, giving the State Insurance Department discretionary powers with respect to parapet walls.

Referred to Committee on Insurance.

H. B. 1125, a bill to regulate fishing in the various swamps, marshes and creeks in Columbus County.

Referred to Committee on Fish and Fisheries.

H. B. 1132, a bill to repeal chapter 407, Public-Local Laws 1911, relating to hunting foxes in Duplin County.

Referred to Committee on Game Laws.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 367, a bill to legalize the sale of beers, ales, porter, and/or other light wines containing not more than 3.2 per cent of alcohol by weight,

repeal such acts or portions of acts as may be inconsistent herewith, to provide a tax on the sale of the same, provide a means of collection, and to provide a penalty for the violation of the provisions herein contained, upon third reading.

The bill passes third reading, ayes 33, noes 11, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Beatty, Bland, Blue, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Eflrd, Francis, Grady, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Sparger, Walker—33.

Those voting in the negative are: Senators Bagley, Barker, Bell, Boggan, Fuller, Greene, Griffin of Chowan, Hill, Land, MacLean, Noell—11.

The following pairs are announced: Senators Gwyn, "aye," Blackburn "no," Waynick "aye," Summersill "no."

The following Senators explain their vote: Boggan, Kirkpatrick and Waynick.

The bill is ordered sent to the House of Representatives by a special messenger.

H. B. 125, a bill to make appropriations for the maintenance of the State's Departments, Bureaus, Institutions and Agencies, and for other purposes, and to reduce salaries of officers, employees and agents, upon third reading.

Senator Gwyn offers an amendment and upon its adoption calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 16, noes 24, as follows:

Those voting in the affirmative are: Senators Bell, Cross, Eflrd, Fuller, Griffin of Franklin, Gwyn, Hairfield, Ingram, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Sparger, Walker—16.

Those voting in the negative are: Senators Aiken, Bagley, Bailey, Barker, Blackstock, Bland, Blue, Clement, Dunagan, Francis, Grady, Griffin of Chowan, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, Patton, Rankin, Waynick—24.

The following pair is announced: Senator Boggan, "aye," Clark, "no."

Senator Clement offers an amendment which is adopted.

Upon the passage of the bill on its third reading, Senator Gwyn calls for the ayes and noes.

The call is not sustained.

The bill passes its third reading and is ordered sent to the House of Representatives by a special messenger.

H. B. 869, a bill for the relief of a portion of the special road bonded indebtedness of certain townships of Madison County, by general levy, upon third reading.

The bill passes third reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Greene, Griffin of Chowan, Gwyn, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Patton, Rankin, Sparger, Walker—36.

The bill is ordered enrolled.



H. B. 1037, a bill to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the city of Burlington, upon second reading.

The bill passes second reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Greene, Griffin of Chowan, Gwyn, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Patton, Rankin, Sparger, Walker—36.

S. B. 175, a bill to create the offices of treasurer-tax collector of Mecklenburg County, and collector of revenue for the city of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers, for concurrence in the House amendment.

Upon motion of Senator Kirkpatrick, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 421, a bill to abolish the board of county commissioners of Madison County and vest their remaining authority in various boards and commissioners.

Upon motion of Senator Greene, the bill is laid upon the Table.

S. B. 435, a bill supplemental to and amending an act ratified March 20, 1933, it being H. B. 698, and entitled "An act to amend chapter 431 of Public-Local Laws of 1927, and chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of game commissioners.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 439, a bill to divide the board of county commissioners of Johnston County into two classes.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 468, a bill to amend Committee substitute for Senate Bill 180, so as to regulate the application of its provisions to Scotland County and municipalities therein.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 209, a bill to amend chapter 424, Public-Local Laws, 1915, as amended by chapter 72, Public-Local Laws, 1929.

Passes its second and third readings and is ordered enrolled.

H. B. 851, a bill to amend chapter 84, Private Laws of 1885, relating to time for holding elections in the town of Aulander.

Passes its second and third readings and is ordered enrolled.

H. B. 961, a bill to divert such moneys of the county of Pasquotank yet remaining under the game commission fund to the general fund.

Passes its second and third readings and is ordered enrolled.

S. B. 56, a bill to repeal sections 3401 and 3402 of article 6, chapter 66 of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills, for concurrence in the House amendment.

Upon motion of Senator Hartsell, the Senate fails to concur in the House amendment and asks for a Conference thereon.

The President appoints as Conferees on the part of the Senate, Senators Hartsell and Fuller, and a message is ordered sent to the House of Representatives informing that Body of such action.

S. B. 190, a bill to permit certain persons duly licensed as pharmacists in other States to stand the examination to practice pharmacy, for concurrence in the House amendment.

Upon motion of Senator Blue, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 381, a bill to provide for funding and refunding of debts of local units of government other than counties, cities and towns, for concurrence in the House amendment.

Upon motion of Senator Dunagan, the Senate fails to concur in the House amendment and asks for a Conference thereon.

The President appoints as Conferees on the part of the Senate, Senators Dunagan, Waynick, and Blackstock, and a message is ordered sent to the House informing that Body of such action.

S. B. 382, a bill to amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds for concurrence in the House amendment.

Upon motion of Senator Dunagan, the Senate fails to concur in the House amendment and asks for a Conference thereon.

The President appoints as Conferees on the part of the Senate, Senators Dunagan, Waynick and Blackstock, and a message is ordered sent to the House informing that Body of such action.

S. B. 383, a bill to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act as amended, being subchapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931, for concurrence in the House amendment.

Upon motion of Senator Dunagan the Senate fails to concur in the House amendment and asks for a Conference thereon.

The President appoints as Conferees on the part of the Senate, Senators Dunagan, Waynick and Blackstock, and a message is ordered sent to the House informing that Body of such action.

S. B. 184, a bill to amend section 5003 (1), chapter S7-A of the Consolidated Statutes, relative to autopsy, for concurrence in the House substitute.

The substitute passed by the House is adopted.

Passes its second and third readings and is ordered enrolled.

S. B. 10, a bill to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities, for concurrence in the House amendment.

Upon motion of Senator Moore, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 433, a bill to validate chapter 180, Public Laws of 1925, and all amendments thereto, and to validate all acts of county boards of education and



boards of county commissioners pursuant to said chapter, relating to the assumption of school district debt by counties, upon third reading.

The bill passes third reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Greene, Griffin of Chowan, Gwyn, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Patton, Rankin, Sparger, Walker—36.

The bill is ordered sent to the House of Representatives.

S. B. 391, a bill to amend the Municipal Finance Act of North Carolina and more particularly section 2943 of the Consolidated Statutes as amended, upon second reading.

The bill passes second reading, ayes 36, Noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Greene, Griffin of Chowan, Gwyn, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Patton, Rankin, Sparger, Walker—36.

S. B. 392, a bill to amend section 2806 of the Consolidated Statutes of North Carolina so as to authorize cities to fix and collect sewerage service charges, upon second reading.

The bill passes second reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Greene, Griffin of Chowan, Gwyn, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Patton, Rankin, Sparger, Walker—36.

Senator Boggan submits a statement as follows, which without objection, is ordered spread upon the record:

By unanimous consent it is ordered that Senator W. K. Boggan, of Anson, be, and he hereby is, recorded as not having voted to increase any appropriations over those adopted by the House of Representatives in the appropriations bill now under consideration by the Senate, except in two instances, to wit: Appalachian State Teachers' College and the State Treasurer's office, and these in small amounts, and fully justified.

Senator Kirkpatrick asks and is granted permission to submit a statement relative to the beer bill as follows:

Mr. President and Senators, I have not receded, and do not now recede, from my contentions that this bill should not be enacted into law without first submitting it by a referendum to the people of North Carolina, to be decided by them. No question is settled until it is settled right. The people of North Carolina have the inherent right to pass upon all questions affecting legislation and their interest; and where there is a division of sentiment, they alone are the final arbiters in the adjustment of the matters.

I reiterate that this question ought to go to the people as provided for in Senator Waynick's amendment to S. B. 367, which I signed and heartily supported. Such a course, if adopted, would have been for the best interest of

the Democratic Party and the State. However, Mr. President and Senators, the overwhelming majority of the Senate has decreed otherwise. Therefore, as the question will not be submitted to the vote of the people by a majority of the Senate, I am changing my vote for the following reasons:

1. I recognize that there are a large number of citizens throughout North Carolina, including my own district, who want beer, and I always respect, as far as I can, the expression and the will of the people of North Carolina. I am filing with the clerk a petition from a large number of my constituents, demanding an immediate settlement of this question.

2. Since it is apparent that the question will not be submitted to a vote of the people by this General Assembly, it is my judgment that, in deference to all concerned and great respect for the different views of my constituents and the interest of North Carolina, the State should be put in a position where it can prevent itself from becoming the "dumping ground" of bootleggers and beer runners, which condition would be intolerable.

3. The sale of beer has been recommended by President Roosevelt. Under his recommendation United States Congress has enacted into law the right to sell beer. Whatever revenue is to be obtained from the sale of beer to our citizens should be had for North Carolina to help out her depleted Treasury, and not be allowed to be spent by her citizens to help out the Treasury of other States. Therefore, I vote aye.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 10:00 o'clock, at which time only Public-Local bills are to be considered.

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## SEVENTY-SIXTH DAY

SENATE CHAMBER.

SATURDAY, April 1, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Dr. A. B. Hunter of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

H. B. 863, a bill to amend chapter 122, section 29, of the Public Laws of 1927, relative to motor vehicle license, with a favorable report.

H. B. 1133, a bill to authorize the city council of the city of Gastonia to extend the time of the payment of special assessments, with a favorable report.



H. B. 1097, a bill to make the license or privilege taxes issued by the city of Rocky Mount conform to the fiscal year of said city, with a favorable report.

H. B. 1116, a bill supplemental to and amendatory of Senate Bill No. 180, it being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933, with a favorable report.

H. B. 1068, a bill to create the office of auditor of Montgomery County and to fix the compensation and duties thereof, with a favorable report.

S. B. 418, a bill to authorize the issuance of scrip by the Statesville Associated Merchants, Incorporated, with an unfavorable report.

H. B. 881, a bill to repeal any and all statutes, laws, and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes, with a favorable report, as amended.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Francis: S. B. 480, a bill to promote roadside improvement and highway safety in North Carolina.

Referred to Committee on Public Roads.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 905, a bill to amend chapter 120, Public Laws of 1929, the same being known as "The Workmen's Compensation Act," relating to settlements in cases involving third parties and to filing of claims.

Referred to Committee on Insurance.

H. B. 1076, a bill to amend chapter 37 of the Private Laws of 1923, being the charter of the city of Greensboro.

Referred to Committee on Counties, Cities and Towns.

H. B. 1077, a bill relating to special assessments levied by the city of Greensboro.

Referred to Committee on Finance.

H. B. 1092, a bill for the relief of the estates of deceased persons.

Referred to Committee on Judiciary No. 2.

H. B. 1095, a bill for the relief of the sheriffs and tax collectors in the collection of drainage assessments in Alexander County.

Referred to Committee on Finance.

H. B. 1100, a bill to amend chapter 30, Public Laws of 1931, relating to judicial notice of the laws of foreign states.

Referred to Committee on Judiciary No. 1.

H. B. 1146, a bill to amend chapter 426 of the Public-Local Laws of 1919, as amended, relative to the meter adjuster of the county of New Hanover.

Referred to Committee on Judiciary No. 1.

S. B. 327, a bill to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction, for concurrence in the House amendment.

The bill is placed upon the Calendar.

S. B. 70, a bill to require an audit of the receipts and expenditures of the Park Commission to date and authorizing the Governor to designate a committee of the Park Commissioners to be appointed by him to investigate and report upon the expenditures and receipts of said commissioners and whether such expenditures were authorized and to amend chapter 48 of the Public Laws of 1927, for concurrence in the House amendment.

The bill is placed upon the Calendar.

H. B. 926, a bill to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the corporation commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.

Referred to Committee on Railroads.

The following message is received from the House of Representatives.

HOUSE OF REPRESENTATIVES,  
March 31, 1931.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House has failed to concur in Senate Amendments to House Bill 125, title, "The Appropriations Bill," and asks for a conference. The Speaker has appointed as conferees on the part of the House, Messrs. Newman, Cherry, Barden, Greer, Graham and Moye.

Respectfully,

THAD EURE,

*Clerk of the House.*

The President appoints as Conferees on the part of the Senate, Senators Clement, MacLean and Bagley, and a message is ordered sent to the House informing that Body of such action.

#### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. C. B. Ehringhaus:

March 31, 1933.

*Honorable A. H. Graham, President of the Senate,  
Raleigh, N. C.*

DEAR MR. PRESIDENT: By direction of Joint Resolution No. 30, General Assembly of 1927, I have the honor to transmit herewith report of the George Washington Bi-Centennial Commission.

Respectfully submitted,

J. C. B. ERRINGHAUS.

The report is filed for inclusion in the Journal.

Upon motion of Senator Patton, the Senate adjourns to meet Monday night at 8:00 o'clock.



## SEVENTY-SEVENTH DAY

SENATE CHAMBER,

MONDAY, April 3, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rabbi Frederick Frank, Temple Beth Or, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Brown, H. B. 1146, a bill to amend chapter 426 of the Public-Local Laws of 1919, as amended, relative to the meter adjuster of the county of New Hanover, is taken from the Committee on Judiciary No. 1 and placed upon the Calendar for immediate consideration.

Upon motion of Senator Francis, H. B. 1043, a bill to amend chapter 252, Public Laws 1931, relating to payment of criminal costs before a justice of the peace in Jackson County, is taken from the Committee on Judiciary No. 2, and placed upon the Calendar for immediate consideration.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 931, a bill to regulate charges made by the city of Asheville for water consumed in Buncombe County water districts.

Referred to Committee on Counties, Cities and Towns.

H. B. 1059, a bill providing for the working of prisoners on the streets of the town of Maiden, in Catawba County, North Carolina, applicable also to the town of Conover.

Referred to Committee on Penal Institutions.

H. B. 1145, a bill to make possible and provide for medical treatment and hospital care of poor, indigent, sick and injured persons in Iredell and Rowan counties.

Referred to Committee on Public Health.

H. B. 1152, a bill to allow fishing in the streams of Catawba County with trot lines and baskets.

Upon motion of Senator Aiken, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. R. 1153, a joint resolution to have twenty-five hundred additional copies of House Bill 914, known as the "Machinery Act," printed.

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES,

SATURDAY, April 1, 1933.

*Mr. President:*

It is ordered that a message be sent the Senate informing that Honorable Body, that in complying with your notice of non-concurrence in House Amend-

ment to Senate Bill 56, title, "To repeal sections 3401 and 3402 of article 6, chapter 66 of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills," and the appointment of a Conference Committee, the Speaker has appointed as Conferees on the part of the House, Messrs. Hamilton, Randolph and Haynes.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

HOUSE OF REPRESENTATIVES,

FRIDAY, March 31, 1933.

*Mr. President:*

It is ordered that a message be sent the Senate with the information that pursuant to your notice of non-concurrence in Senate amendments to House Bill 125, Appropriations Bill, and the appointment of a Conference Committee, the Speaker has appointed as Conferees on the part of the House, Messrs. Newman, Cherry, Graham, Barden, Greer and Moye.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Griffin of Franklin: S. B. 481, a bill to amend section 2355 of the Consolidated Statutes, relating to waiver of liens by guardians, executors and/or administrators in favor of the Federal Government.

Upon motion of Senator Griffin of Franklin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Hill: S. B. 482, a bill to pay Willard R. Cox for State Bond stolen from him, provided indemnity is furnished to secure the State of North Carolina against loss.

Referred to Committee on Finance.

By Senator Hinsdale: S. B. 483, a bill to authorize the trustees of the University to construct and finance an athletic stadium for North Carolina State College out of funds other than general revenues of the State.

Referred to Committee on Education.

By Senator Hinsdale: S. B. 484, a bill to authorize the issuance of funding bonds of the State.

Referred to Committee on Finance.

By Senator Kirkpatrick: S. B. 485, a bill supplemental to Senate Bill 175, the same being, "A bill to be entitled an act to create the offices of treasurer-tax collector of Mecklenburg County, and collector of revenue for the city of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers," ratified on the 3rd day of April, 1933.



Upon motion of Senator Kirkpatrick, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator MacLean: S. B. 486, a bill to authorize the forestry department of the North Carolina State College of Agriculture and Engineering of the University to borrow funds for the purchase of forest lands.

Referred to Committee on Agriculture.

By Senator Land: S. B. 487, a bill to amend article 20 of chapter 27, Consolidated Statutes of North Carolina, relating to municipal county courts so as to provide for the conferring of the jurisdiction of the municipal and/or mayor's courts upon general county courts or county recorder's courts where both are not established.

Referred to Committee on Judiciary No. 1.

By Senator Land: S. B. 488, a bill to fix and regulate the court costs and witness fees in the recorder's court of Iredell County.

Referred to Committee on Judiciary No. 1.

By Senator Burgin, by request: S. B. 489, a bill relating to the hunting of foxes in Montgomery County.

Referred to Committee on Game Laws.

By Senator Griffin of Franklin, by request: S. B. 490, a bill to create a building code council for North Carolina.

Referred to Committee on Judiciary No. 1.

By Senator Burgin: S. R. 491, a joint resolution to provide for the appointment of a commission to study the causes of unemployment, and to analyze the practicality of unemployment insurance as a preventative of the suffering which unemployment causes.

Upon motion of Senator Burgin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 10, an act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities.

S. B. 175, an act to create the offices of treasurer-tax collector of Mecklenburg County, and collector of revenue for the city of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers.

S. B. 190, an act to permit certain persons duly licensed as pharmacists in other states to stand the examination to practice pharmacy.

S. B. 256, an act to amend chapter 2 of Consolidated Statutes of 1919, relating to the adoption of minors.

S. B. 426, an act relating to certain bonds of Henderson County.

S. B. 428, an act to allow J. F. Martin, former sheriff of Anson County, to collect back taxes.

S. B. 452, an act amending chapter 213, Private Laws of 1929, relating to the cotton weigher in Raleigh Township, Wake County, North Carolina.

S. B. 466, an act to regulate the sale of milk bottles and containers in Mecklenburg County.

H. B. 80, an act to amend chapter 278 of the Public Laws of 1931, relating to the number of members of the board of education of Wilkes County.

S. B. 184, an act to amend chapter 152, Public Laws of 1931, relating to the right to perform an autopsy upon the human body.

H. B. 209, an act to amend chapter 424, Public-Local Laws, 1915, as amended by chapter 72, Public-Local Laws, 1929.

H. B. 221, an act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment.

H. B. 389, an act to amend chapter 145 of the Public Laws of 1931, relating to the refund of gasoline taxes.

H. B. 851, an act to amend chapter 84, Private Laws of 1885, relating to time for holding elections in the town of Aulander.

H. B. 869, an act for the relief of a portion of the special road bonded indebtedness of certain townships of Madison County, by general levy.

H. B. 914, an act to provide for the listing and valuing of all property, real, personal and mixed, at its true value in money.

H. B. 961, an act to divert such moneys of the county of Pasquotank yet remaining under the game commission fund to the general fund.

H. B. 1011, an act to authorize the town of Sanford to refund certain outstanding bonds.

H. B. 1033, an act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County.

H. B. 1042, an act to extend the jurisdiction of the mayor of the town of Hazelwood.

H. B. 1067, an act to regulate the drawing of grand jurors in Halifax County.

H. R. 1153, a joint resolution to have twenty-five hundred additional copies of House Bill 914 known as, "The Machinery Act," printed.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1037, a bill to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers, residing within the city of Burlington, upon third reading.

The bill passes third reading, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dempsey, Dunagan, Efrid, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde,



McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Summersill, Waynick—38.

The bill is ordered enrolled.

S. B. 33, a bill to establish a system of unemployment insurance without liability on the part of the State of North Carolina, and to create an unemployment insurance commission.

Upon motion of Senator Burgin, the bill is laid upon the Table.

S. B. 306, a bill to amend sections 6, 7 and 10, chapter 435 of Public-Local Laws of 1913, relating to the fees of officers of Catawba County, for concurrence in the House amendment.

Upon motion of Senator Aiken, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 479, a bill to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the town of Graham.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 980, a bill relating to and governing the election of members of the board of commissioners of Franklin County.

Upon motion of Senator Griffin of Franklin, action on the bill is deferred until Thursday, April 6, 1933.

H. B. 1043, a bill to amend chapter 252, Public Laws 1931, relating to payment of criminal costs before a justice of the peace in Jackson County.

Passes its second and third readings and is ordered enrolled.

H. B. 1068, a bill to create the office of auditor of Montgomery County and to fix the compensation and duties thereof.

Passes its second and third readings and is ordered enrolled.

H. B. 1097, a bill to make the license of privilege taxes issued by the city of Rocky Mount conform to the fiscal year of said city.

Passes its second and third readings and is ordered enrolled.

H. B. 1116, a bill supplemental to and amendatory of Senate Bill 180, it being "An Act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1133, a bill to authorize the city council of the city of Gastonia to extend the time of the payment of special assessments.

Passes its second and third readings and is ordered enrolled.

H. B. 1146, a bill to amend chapter 426 of the Public-Local Laws of 1919, as amended, relative to the meter adjuster of the county of New Hanover.

Passes its second and third readings and is ordered enrolled.

H. R. 1153, a joint resolution to have 2500 additional copies of House Bill 914 known as "The Machinery Act," printed.

Passes its second and third readings and is ordered enrolled.

S. B. 70, a bill to require an audit of the receipts and expenditures of the Park Commission to date and authorizing the Governor to designate a Committee of the Park Commissioners to be appointed by him to investigate and report upon the expenditures and receipts of said commissioners, and whether

such expenditures were authorized, and to amend chapter 48 of the Public Laws of 1927, for concurrence in the House substitute.

Upon motion of Senator Burgin, the House substitute is adopted.

Passes its second and third readings and is ordered enrolled.

S. B. 134, a bill to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane, for concurrence in the House amendment.

Upon motion of Senator Long, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 299, a bill to validate judgments under which contingent remainders and executory devises have been partitioned, for concurrence in the House amendment.

Upon motion of Senator Long, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 327, a bill to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction, for concurrence in the House amendment.

Upon motion of Senator Gwyn, the Senate fails to concur in the House amendment and asks for a Conference thereon.

S. B. 361, a bill to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865 and chapter 56, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in State supported institutions of higher learning in North Carolina, for concurrence in the House amendment.

Upon motion of Senator Clement, the Senate concurs in the House amendment and the bill is ordered enrolled.

Upon motion of Senator Clement, the vote by which the Senate concurred in the House amendment is reconsidered.

S. B. 391, a bill to amend the Municipal Finance Act of North Carolina and more particularly section 2943 of the Consolidated Statutes, as amended, upon third reading.

The bill passes third reading, yeas 36, nays 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dempsey, Dunagan, Eflord, Fuller, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Noell, Patton, Rankin, Summersill, Waynick—36.

The bill is ordered sent to the House of Representatives.

S. B. 392, a bill to amend section 2806 of Consolidated Statutes of North Carolina so as to authorize cities to fix and collect sewerage service charges, upon third reading.

The bill passes third reading, yeas 36, nays 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dempsey, Dunagan, Eflord, Fuller, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Noell, Patton, Rankin, Summersill, Waynick—36.

The bill is ordered sent to the House of Representatives.



S. B. 393, a bill to amend section 2808 of Consolidated Statutes of North Carolina, relating to municipal light and water plants, upon second reading.

The bill passes second reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dempsey, Dunagan, Efird, Fuller, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Noell, Patton, Rankin, Summersill, Waynick—36.

S. B. 396, a bill to amend the North Carolina Game Law.

The substitute offered by the Committee is adopted.

Senator Land offers an amendment.

Senator Greene offers an amendment.

Senator Walker offers an amendment.

The bill, with pending amendments, remains upon the Calendar.

S. B. 345, a bill regulating the purchase and character of the fuel for use in the rural, public schools of North Carolina.

Upon motion of Senator Ingram, the bill is re-referred to the Committee on Education.

H. B. 84, a bill to amend section 1 of chapter 336, Public Laws 1931, providing for the reduction of license fees on automobiles.

Upon motion of Senator Cross, the bill is re-referred to the Committee on Finance.

S. B. 238, a bill to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381, and to transfer the illuminating oil, gas and lubricating oil, inspection division to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the board of agriculture, and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors of motor vehicle inspectors, for concurrence in the House amendment.

Upon motion of Senator Ingram, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 372, a bill to amend section 2471 of the Consolidated Statutes, relative to the order of payment of liens of materialmen and laborers, upon third reading.

Passes its third reading and is ordered engrossed.

S. B. 98, a bill to provide for the election and organization of county boards of health.

The substitute offered by the Committee is adopted.

Passes its second reading and upon objection by Senator Dunagan to its final passage, the bill remains upon the Calendar.

S. B. 376, a bill to amend chapter 325 of Public Laws of 1929, relating to the certification of pure-bred crop seeds in North Carolina.

Senator Bagley offers an amendment which is adopted.

The bill as amended, passes its second and third readings and is ordered engrossed.

H. B. 550, a bill to provide for the regulation of automobile liability insurance rates.

Senator Cross offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 736, a bill to promote further efficiency in the public schools.

Passes its second and third readings and is ordered enrolled.

H. B. 863, a bill to amend chapter 122, section 29 of the Public Laws of 1927, relative to motor vehicle license.

Passes its second and third readings and is ordered enrolled.

H. R. 923, a resolution endorsing the proposal of President Roosevelt to develop a vast national laboratory in which to combine agricultural development, flood control, power development, and the reclamation of the forests in the valley of the Tennessee River and its tributaries.

Passes its second and third readings and is ordered enrolled.

H. B. 941, a bill to amend chapter 71, Public Laws of 1931, regulating mutual burial associations.

Passes its second and third readings and is ordered enrolled.

H. B. 1004, a bill to appoint delegates to the second interstate legislative Assembly.

Passes its second and third readings and is ordered enrolled.

H. B. 1013, a bill to amend chapter 34 of the Public Laws of 1929 of North Carolina, relating to the sterilization of persons mentally defective.

Passes its second and third readings and is ordered enrolled.

H. B. 1070, a bill to appoint trustees for the Sir Walter Raleigh Memorial Fund.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

Upon motion of Senator Clement, the Senate adjourns to meet tomorrow at 12:00 o'clock m.

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## SEVENTY-EIGHTH DAY

SENATE CHAMBER,

TUESDAY, April 4, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. E. C. Few, Edenton Street M. E. Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senators Sam Black, Marvin Blount and N. L. Steadman.



Upon motion of Senator Hill, S. R. 467, a joint resolution of the Senate and House of Representatives of North Carolina, providing for funding of the deficit now outstanding in North Carolina, is taken from the Committee on Banks and Banking and placed upon the Calendar for immediate consideration.

Upon motion of Senator Hill, H. B. 1094, a bill validating certain agreements made by the board of commissioners of Haywood County, and the board of aldermen of the town of Waynesville, relating to the reorganization of the Citizens Bank and Trust Company of Waynesville, and to authorize further agreements, is taken from the Committee on Banks and Banking and placed upon the Calendar for immediate consideration.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 782, a bill reducing the salaries of certain officers of Wake County, with a favorable report as amended.

By Senator Long, for the Committee on Public Health:

S. B. 457, a bill to prevent the misbranding of milk or cream, with a favorable report.

S. B. 464, a bill to amend section 7067 of the Consolidated Statutes, relating to appointment of a county physician, with a favorable report.

H. B. 1021, a bill to amend chapter 53 of the Public Laws of 1927, being "An act to regulate the manufacture and sale of insecticides and fungicides in North Carolina," with a favorable report.

By Senator Aiken, for the Committee on Courts and Judicial Districts:

H. B. 1014, a bill to amend chapter 207, Public Laws 1927, amending section 1443 of the Consolidated Statutes, relating to terms of court for Rutherford and Polk counties, with a favorable report.

H. B. 1031, a bill to amend chapters 84 and 424, Public Laws 1931, and section 1443 of volume 3 of the Consolidated Statutes, relating to terms of court for Avery, Watauga, Mitchell and Alexander counties, with a favorable report.

H. B. 1138, a bill to amend section 1443 of the Consolidated Statutes of North Carolina, relating to terms of Superior Courts in the Sixth Judicial District, with a favorable report.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 372, a bill to amend section 2471 of the Consolidated Statutes, relative to the order of payment of liens of materialmen and laborers.

S. B. 376, a bill to amend chapter 325 of Public Laws of 1929, relating to the certification of pure bred crop seeds in North Carolina.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Dunagan: S. B. 492, a bill to permit the advertisement for sale of beer, lager beer, ale, porter, fruit juices and/or other light wines containing not more than 3.2 per cent alcohol by weight.

Upon motion of Senator Dunagan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Joyner: S. B. 493, a bill for the relief of the taxpayers of Gaston, Jackson, Oconeechee and Rich Square Townships of Northampton County.

Referred to Committee on Finance.

By Senator Dempsey: S. B. 494, a bill to repeal chapter 181, Public-Local Laws, extra session 1920, relating to hunting squirrels, foxes, opossums and coons in Wilson County, and to provide an open season for foxes.

Referred to Committee on Game Laws.

By Senator Long: S. B. 495, a bill to regulate the sanitation of summer camps, swimming pools, public water supplies, tourists camps, tourists homes and public schools.

Referred to Committee on Public Health.

By Senator Barker: S. R. 496, a joint resolution directing the Secretary of State to furnish the register of deeds in the various counties certified copies of S. B. 313, relating to fees for registering Federal crop liens and Federal chattel mortgages.

Upon motion of Senator Barker, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 1155, a bill relating to rate of interest on unpaid taxes in Hyde County for the year 1932 and thereafter.

Referred to Committee on Finance.

H. B. 1156, a bill to allow the commissioners of Transylvania County to accept county bonds in payment of certain taxes.

Referred to Committee on Finance.

S. B. 367, a bill to legalize the sale of beers, ales, porter and/or other light wines containing not more than 3.2 per cent of alcohol by weight, repeal such acts or portions of acts as may be inconsistent herewith, to provide a tax on the sale of the same, provide a means of collection, and to provide a penalty for the violation of the provisions herein contained, for concurrence in the House amendments.



Upon motion of Senator Francis, the Senate concurs in the House amendments and the bill is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
April 4, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate, informing that Honorable Body that the House, pursuant to your notice of non-concurrence in House amendments to Senate Bill No. 381, title "To provide for funding and refunding debts of local units of government other than counties, cities and towns," and the appointment of a Conference Committee, the Speaker has appointed as Conferees on the part of the House, Messrs. Doughton, Bowie, Gattis, Phillips and Hamilton.

Respectfully,

THAD EURE,

*Clerk of the House.*

HOUSE OF REPRESENTATIVES,  
April 4, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House, pursuant to your notice of non-concurrence in House amendment to Senate Bill No. 383, title "to allow counties, municipalities and other governing units to fund and refund their obligations to amend the Local Government Act, being chapter 60 of the Public Laws, 1931; to amend the Municipal Finance Act, as amended, being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the county Finance Act, as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931," and the appointment of a conference committee, the Speaker has appointed as conferees on the part of the House, Messrs. Doughton, Bowie, Gattis, Phillips and Hamilton.

Respectfully,

THAD EURE,

*Clerk of the House.*

HOUSE OF REPRESENTATIVES,  
April 4, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House, pursuant to your notice of non-concurrence in House amendments to Senate Bill No. 382, title "to amend chapter 60 of the Public Laws of 1931, as amended, and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds," and the appointment of a conference committee, the Speaker has appointed as conferees on the part of the House, Messrs. Doughton, Bowie, Gattis, Phillips and Hamilton.

Respectfully,

THAD EURE,

*Clerk of the House.*

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 38, a bill to amend chapter 150 of the Private Laws of North Carolina, session 1925, relating to the Charlotte Park and Recreation Commission, upon third reading.

The bill passes third reading, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Cross, Dempsey, Dunagan, Efird, Fuller, Grady, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Noell, Patton, Summersill, Walker, Waynick—34.

The bill is ordered enrolled.

S. B. 393, a bill to amend section 2808 of the Consolidated Statutes of North Carolina, relating to municipal light and water plants, upon third reading.

Senator Waynick offers an amendment, held immaterial, which is adopted.

The bill, as amended, passes third reading, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Blue, Boggan, Brown, Burgin, Clark, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Noell, Patton, Summersill, Walker, Waynick—35.

The bill is ordered engrossed.

H. B. 964, a bill providing for a special levy for special purposes by counties, upon second reading.

The following Senators offer amendments which are adopted: Beatty, Blue, McDuffee, MacLean, Bailey, Boggan, Ingram, Francis, Hill, Dempsey, Cross, Efird, Summersill, McBryde, Walker, Patton, Grady, Griffin of Franklin, Clement.

Upon motion of Senator Brown, the bill with pending amendments is laid upon the Table.

H. B. 1139, a bill to amend chapter 71 of the Private Acts of North Carolina, Session 1872-73, relating to the charter of Mooresville in Iredell County.

Upon motion of Senator Land, the bill is re-referred to the Committee on Counties, Cities and Towns.

S. B. 398, a bill to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income.

Passes its third reading and is ordered sent to the House of Representatives.

S. B. 98, a bill to provide for the election and organization of county boards of health.

Passes its third reading and is ordered sent to the House of Representatives.

S. B. 412, a bill to amend section 1179 of the Consolidated Statutes of North Carolina, relating to payment of dividends by corporations and for other purposes.

Passes its second and third readings and is ordered sent to the House of Representatives.



S. B. 458, a bill to amend the North Carolina Game Law.

Upon a point of order being raised by Senator Bailey, under rule 56, the bill is laid upon the Table.

Upon motion of Senator Bailey, the bill is taken from the Table and placed upon the Calendar.

Senators Burgin and Bagley offer an amendment which is adopted.

The bill as amended passes its second and third readings and is ordered engrossed.

H. B. 881, a bill to repeal any and all statutes, laws and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 498, a bill to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust.

The substitute offered by the Committee is adopted.

Senator Francis offers an amendment which fails of adoption.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate substitute.

S. B. 377, a bill to provide for special judges in North Carolina, for concurrence in the House amendment.

Upon motion of Senator Aiken, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 1094, a bill validating certain agreements made by the board of commissioners of Haywood County and the board of aldermen of the town of Waynesville, relating to the reorganization of the Citizens Bank and Trust Company of Waynesville and to authorize further agreements relating thereto.

Passes its second and third readings and is ordered enrolled.

S. R. 467, a joint resolution of the Senate and House of Representatives of North Carolina providing for funding of the deficit now outstanding in North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 425, a bill relating to election of school teachers in Cherokee, Clay, Graham, Macon and Swain counties.

Senator Francis offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 396, a bill to amend the North Carolina Game Law.

The amendments offered by various Senators including their counties are adopted.

Senator Grady offers an amendment which is adopted.

Upon passage of the bill on its second reading, Senator Ingram calls for the ayes and noes.

The call is sustained.

The bill passes second reading, ayes 20, noes 4, as follows:

Those voting in the affirmative are: Senators Aiken, Bell, Blue, Cross, Dempsey, Efird, Grady, Griffin of Franklin, Hairfield, Ingram, Joyner, Land, Long, McBryde, McDuffee, McNeill of Ashe, Noell, Summersill, Walker, Waynick—20.

Those voting in the negative are: Senators Burgin, Fuller, Hartsell, Hill—4.

The following pairs are announced: Senators McNeill of Cumberland "aye," Rankin "no"; Blackburn "aye," Hanes "no"; Sparger "aye," Gwyn "no"; Clement "aye," Bailey "no"; Bland "aye," Blackstock "no."

Senator Burgin objects to the final passage of the bill.

Senator Ingram moves that the rules be suspended and the bill placed upon its immediate readings.

The motion prevails.

Senator McNeill of Ashe offers an amendment which is adopted.

Senator Fuller offers an amendment which fails of adoption.

Senators Francis and Blackstock offer an amendment which is adopted.

Senator Dunagan moves that the Senate adjourn to meet tomorrow morning at 11:00 o'clock.

The motion fails to prevail.

Senator Aiken moves that the vote by which the amendment offered by Senators Francis and Blackstock was adopted, be reconsidered.

The motion fails to prevail.

Passes its third reading and is ordered engrossed.

H. B. 566, a bill to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the Western Division, Eleventh District, so as to fix the terms of court for Forsyth County.

Senator Hanes offers an amendment which is adopted.

The bill, as amended, passes its second reading and upon objection of Senator Aiken to its final passage, remains upon the Calendar.

The President appoints as conferees on the part of the Senate to consider the differences arising upon S. B. 327, a bill to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction, Senators Clark and Gwyn and a message is ordered sent to the House informing that Body of such action.

Upon motion of Senator Bailey, the Senate adjourns in honor of the memory of Governor Aycock who died twenty-one years ago today, to meet tomorrow morning at 11:00 o'clock.

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## SEVENTY-NINTH DAY

SENATE CHAMBER,

WEDNESDAY, April 5, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. A. R. Freeman, Rector Sacred Heart Cathedral of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his



motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Burgin, H. B. 1068, a bill to create the office of auditor of Montgomery County and to fix compensation and duties thereof, is recalled from the enrolling office.

Upon motion of Senator Burgin, the vote by which the bill passed its third reading is reconsidered and the bill is re-referred to the Committee on Judiciary No. 2.

Upon motion of Senator Dunagan, H. B. 908, a bill to extend the powers of the police officers of the various incorporated towns in Rutherford County, is taken from the Committee on Judiciary No. 1 and placed upon the Calendar.

Upon motion of Senator Boggan, H. B. 1115, a bill to amend House Bill No. 376, Public-Local Laws of 1933, relating to constable fees in Union County, is taken from the Committee on Salaries and Fees and placed upon the Calendar.

Upon motion of Senator Francis, H. B. 83, a bill to amend chapter 351 of Public Laws of 1931, relating to non-resident fishing license in Graham County, is taken from the Committee on Fish and Fisheries and placed upon the Calendar.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 477, a bill to amend section 3401 of the Consolidated Statutes, as amended, so as to reduce the fee paid for capturing stills in Warren County, with a favorable report.

By Senator Aiken, for the Committee on Courts and Judicial Districts:

S. B. 373, a bill to amend chapter 104, Public Laws of 1909, and chapter 156, Public-Local Laws of 1911, and chapter 324, Public-Local Laws of 1915, and chapter 24, Public Laws of 1931, relative to the recorder's court of Reidsville Township, fixing the salaries respectively, of the Recorder and solicitor of said court, with a favorable report.

S. B. 390, a bill to provide two additional terms of civil court for Rowan County, with a favorable report.

H. B. 940, a bill to amend section 1443 of the Consolidated Statutes, fixing the terms of court in the several counties, this bill relating only to the terms of court in Stanly County, with a favorable report.

S. B. 374, a bill to amend section 1443, Consolidated Statutes, relative to terms of court in Rockingham County, with a favorable report as amended.

By Senator Joyner, for the Committee on Penal Institutions:

H. B. 1059, a bill providing for the working of prisoners on the streets of the town of Maiden, in Catawba County, North Carolina, applicable also to the town of Conover, with a favorable report.

S. B. 476, a bill that the sale of lime produced by convict labor be confined to the various State Departments and its subdivisions, with a favorable report.

By Senator Joyner, for the Committee on Commercial Fisheries:

H. B. 1081, a bill to clarify and make certain the provisions of regulation 119 of the Department of Conservation and Development, and to prevent the use of haul or drag nets in the waters of New River in Onslow County, with a favorable report.

By Senator Griffin of Chowan, for the Committee on Judiciary No. 1:

S. B. 448, a bill validating certain deeds and deeds of trust registered in the office of the register of deeds for Vance County, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Hill, for the Committee on Banks and Banking:

H. B. 760, a bill to regulate the sale of certain assets of defunct banks, with a favorable report.

H. B. 918, a bill to amend section 220 (E), Consolidated Statutes of 1919, Volume III, as amended, and to limit the powers of the Commissioner of Banks, with a favorable report.

H. B. 920, a bill to amend section 220 (b), Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities of affiliated or subsidiary corporations, with a favorable report.

S. B. 296, a bill to provide for the organization, incorporation and operation of cash depositories in the State of North Carolina, with an unfavorable report.

S. B. 143, a bill to authorize the Commissioner of Banks to pay over certain funds of the Scotland Neck Bank held by him for distribution to the depositors of said bank, with an unfavorable report.

By Senator Gwyn, for the Committee on Public Roads:

H. B. 1010, a bill to authorize the State Highway Commission to provide for tolls over and to give appropriate highway number to the proposed Cape Lookout bridge and highway with a favorable report.

H. B. 802, a bill to amend chapter 448 of the Public Laws of 1931, relating to cartways, so as to include neighborhood public roads, with a favorable report.

H. B. 583, a bill to amend section 21 of chapter 148 of the Public Laws of 1927, requiring drivers of motor vehicles to stop before entering main highways, with an unfavorable report.

H. B. 702, a bill to amend chapter 148, Public Laws of 1927, relative to horse-drawn vehicles on highways, with an unfavorable report.

H. B. 732, a bill to authorize and direct the State Highway Commission, as soon as practical, to prepare, condition and make passable the turn-pike road connecting the settlements in Washington County and Beaufort County, with an unfavorable report.

H. R. 946, a joint resolution relating to connection of the State Highway System with Roanoke Island, with an unfavorable report.

Upon motion of Senator Bailey, the bill is taken from the unfavorable Calendar and placed upon the Calendar.



By Senator Rankin, for the Committee on Finance:

S. B. 443, a bill validating the action of the commissioners of Macon County in postponing the sale of land for taxes in Macon County, with a favorable report.

S. B. 456, a bill relating to the collection of the amount due the town of Rutherfordton for sale of water and light plants, and creating a sinking fund with the amount received, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 396, a bill to amend the North Carolina Game Law.

S. B. 393, a bill to amend section 2808 of the Consolidated Statutes of North Carolina, relating to municipal light and water plants.

S. B. 425, a bill relating to election of school teachers in Cherokee, Clay, Graham, Macon and Swain Counties.

S. B. 458, a bill to amend the North Carolina Game Law.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Walker: S. B. 497, a bill supplemental to and amendatory of House Bill No. 914, known as the Machinery Bill, ratified April 3, 1933.

Upon motion of Senator Walker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Clark: S. B. 498, a bill to include Edgecombe County among the counties making punishment for giving worthless checks under fifty dollars punishable by fine not to exceed fifty dollars or imprisonment for thirty days.

Upon motion of Senator Clark, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Clark: S. B. 499, a bill to amend section 5 of chapter 314 of the Private Laws of North Carolina, 1909, relating to the election of the mayor of the town of Tarboro, Edgecombe County.

Placed upon the Calendar.

By Senator Clark: S. R. 500, a joint resolution commending Walter Murphy to the new National administration.

Upon motion of Senator Clark, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Ingram: S. B. 501, a bill to amend section 6418 and section 6441 of the Consolidated Statutes, regarding fire insurance policies.

Referred to Committee on Insurance.

By Senator Dempsey: S. B. 502, a bill to regulate the duties of the Sheriff of Wilson County and to transfer the duties of tax collector to the county accountant.

Upon motion of Senator Dempsey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hairfield: S. B. 503, a bill to amend chapter 174, Public Laws 1905, so as to decrease the number of trustees of the Morganton Graded School, and to provide for the election of their successors by the people.

Upon motion of Senator Hairfield, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Burgin: S. B. 504, a bill relating to the extension of time for payment of special assessments levied by the city of Thomasville.

Referred to Committee on Finance.

By Senator McDuffee: S. B. 505, a bill providing for special levy for special purposes in Warren County.

Placed upon the Calendar.

By Senator Summersill: S. B. 506, a bill to amend section 1864 (a), Consolidated Statutes of North Carolina, so as to exempt certain portions of land in Onslow County from the provisions of the stock law.

Referred to Committee on Agriculture.

By Senator Summersill: S. B. 507, a bill to amend section 1908, Consolidated Statutes of North Carolina, pertaining to the leasing of oyster and clam bottoms.

Referred to Committee on Fish and Fisheries.

By Senator Barker: S. B. 508, a bill to amend chapter 44 of the Private Laws of North Carolina 1907, relating to the charter of the town of Garland, Sampson County, so that the officers of said town shall be elected biennially instead of annually.

Upon motion of Senator Barker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hartsell: S. B. 509, a bill to amend chapter 120, Public Laws 1929, the same being known as the Workmen's Compensation Act.

Referred to Committee on Insurance.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:



H. B. 1147, a bill to amend chapter 195 of the Private Laws of 1927, relative to the corporate limits of the town of Carolina Beach.

Referred to Committee on Counties, Cities and Towns.

H. B. 1164, a bill to amend chapter 177 of the Private Laws of 1889, relating to the town of Dillsboro.

Referred to Committee on Counties, Cities and Towns.

H. B. 1169, a bill to amend Senate Bill No. 334, ratified on the 27th day of March, 1933, and being entitled "An act to amend chapter 647 of the Public Local Laws of 1911, relating to the recorder's court of Thomasville."

Referred to Committee on Courts and Judicial Districts.

H. B. 1170, a bill to amend section 10 and section 13 of chapter 33, Public Laws of 1929.

Referred to Committee on Judiciary No. 2.

H. B. 1179, a bill to prevent the introduction and planting in any of the waters of the State of North Carolina what is known as the Japanese, Portuguese or Mongolian oysters.

Upon motion of Senator Bailey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. R. 1178, a joint resolution requesting the Senators and Representatives in Congress from the State of North Carolina to oppose the Black Five Day Week, Six Hour Day Bill now pending in the Congress of the United States.

Referred to Committee on Federal Relations.

HOUSE OF REPRESENTATIVES,

April 5, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House, pursuant to your notice of non-concurrence in House amendment to Senate Bill No. 327, title "To authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction," and the appointment of a Conference Committee, the Speaker has appointed as Conferees on the part of the House, Messrs. Eagles, Binford and Edwards.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

#### ENROLLED BILLS

Senator Efland, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 70, an act to require an audit of the receipts and expenditures of the Park Commission to date and authorizing the Governor to designate a committee of the park commissioners to be appointed by him to investigate and report upon the expenditures and receipts of the said commissioners, and whether such expenditures were authorized, and to amend chapter 48 of the Public Laws of 1927.

S. B. 134, an act to provide for the temporary care and restraint of persons addicted to the use of alcoholic drinks or narcotic drugs and persons insane.

S. B. 238, an act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil, inspection division, to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture, and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors for such department; and to limit the number of motor vehicle inspectors.

S. B. 290, an act to amend the charter of the city of Hickory by providing for the re-assessment of street improvement liens, etc.

S. B. 299, an act to validate judgments under which contingent remainders and executory devises have been partitioned.

S. B. 306, an act to amend sections 6, 7 and 10, chapter 435 of Public-Local Laws of 1913, relating to the fees of officers of Catawba County.

S. B. 465, an act creating a central board of assessors for Forsyth County.

S. B. 367, an act to legalize the sale of beer, lager beer, ale, porter and fruit juices containing not more than 3.2 per cent of alcohol by weight; repeal such acts, or portions of acts, as may be inconsistent herewith; to provide a tax on the same, to provide a means of collection, and to provide a penalty for the violation of the provisions herein contained.

S. B. 377, an act to provide for special judges in North Carolina.

S. B. 468, an act to amend committee substitute for Senate Bill No. 180, so as to regulate the application of its provisions to Scotland County and municipalities therein.

S. B. 481, an act to amend section 2355 of the Consolidated Statutes, relating to waiver of liens by guardians, executors and/or administrators in favor of the Federal Government or its agents.

S. R. 491, a joint resolution to provide for the appointment of a commission to study the causes of unemployment, and to analyze the practicability of unemployment insurance as a preventative of the suffering which unemployment causes.

H. B. 38, an act to amend chapter 51 of the Private Laws of 1927, being an act entitled "An act to incorporate Charlotte Park and Recreation Commission."

H. B. 736, an act to promote further efficiency in the public schools.

H. B. 863, an act to amend chapter 122, section 29 of the Public Laws of 1927, relative to motor vehicle license.

H. R. 923, a joint resolution endorsing the proposal of President Roosevelt to develop a vast national laboratory in which to combine agricultural development, flood control, power development, and the reclamation of the forests in the valley of the Tennessee River and its tributaries.

H. B. 941, an act to amend chapter 71, Public Laws of 1931, regulating mutual burial associations.



H. B. 1004, an act to appoint delegates to the second interstate Legislative Assembly.

H. B. 1013, an act to amend chapter 34 of the Public Laws of 1929 of North Carolina, relating to the sterilization of persons mentally defective.

H. B. 1037, an act to provide for the inspection of certain fresh meats and meat products sold and delivered to consumers residing within the city of Burlington.

H. B. 1043, an act to amend chapter 252, Public Laws 1931, relating to payment of criminal costs before a justice of the peace in Jackson County.

H. B. 1094, an act validating certain agreements made by the board of commissioners of Haywood County, and the board of aldermen of the town of Waynesville, relating to the reorganization of the Citizens Bank & Trust Company of Waynesville, and to authorize further agreements relating thereto.

H. B. 1097, an act to make the license or privilege taxes issued by the city of Rocky Mount conform to the fiscal year of said city.

H. B. 1133, an act to authorize the city council of the city of Gastonia to extend the time of the payment of special assessments.

H. B. 1146, an act to amend chapter 426 of the Public Local Laws of 1919, as amended, relative to the meter adjuster of the county of New Hanover.

H. B. 1116, an act supplemental to and amendatory of Senate Bill No. 180, it being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

H. B. 1152, an act to allow fishing in the streams of Catawba County with trot lines and baskets.

H. B. 1070, an act to appoint trustees for the Sir Walter Raleigh Memorial Fund.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 477, a bill to amend section 3401 of the Consolidated Statutes as amended, so as to reduce the fee paid for capturing stills in Warren County.

Passes its second and third readings and is ordered enrolled.

S. B. 448, a bill validating certain deeds and deeds of trust registered in the office of the register of deeds for Vance County.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered engrossed.

H. B. 566, a bill to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the Western Division, Eleventh District, so as to fix the terms of court for Forsyth County, upon third reading.

Passes its third reading and is ordered enrolled.

H. B. 908, a bill to extend the powers of the police officers of the various incorporated towns in Rutherford County.

Passes its second and third readings and is ordered enrolled.

H. B. 1014, a bill to amend chapter 207, Public Laws 1927, amending section 1443 of the Consolidated Statutes, relating to terms of court for Rutherford and Polk Counties.

Passes its second and third readings and is ordered enrolled.

H. B. 1115, a bill to amend House Bill No. 376, Public-Local Laws of 1933, relating to constable fees in Union County.

Passes its second and third readings and is ordered enrolled.

S. B. 258, a bill to amend chapter 6 of the Consolidated Statutes of North Carolina on bastardy, for concurrence in the House substitute.

Upon motion of Senator Sparger, the Senate adopts the House substitute.

Passes its second and third readings and is ordered enrolled.

S. B. 457, a bill to prevent the misbranding of milk or cream.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 464, a bill to amend section 7067 of the Consolidated Statutes, relating to appointment of a county physician.

Passes its second reading and upon objection by Senator Barker to its final passage, the bill remains upon the Calendar.

H. B. 1021, a bill to amend chapter 53 of the Public Laws of 1927, being "An act to regulate the manufacture and sale of insecticides and fungicides in North Carolina."

Passes its second and third readings and is ordered enrolled.

H. B. 1031, a bill to amend chapters 84 and 424, Public Laws of 1931, and section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Avery, Watauga, Mitchell and Alexander Counties.

Passes its second reading and upon objection by Senator Hairfield to its final passage, the bill remains upon the Calendar.

H. B. 1138, a bill to amend section 1443 of the Consolidated Statutes of North Carolina, relating to terms of Superior Courts in the sixth judicial district.

Passes its second and third readings and is ordered enrolled.

S. B. 456, a bill relating to the collection of the amount due the town of Rutherfordton for sale of water and light plants and creating a sinking fund with the amount received.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

The President appoints as an additional Conferee on the part of the Senate to consider the differences arising upon H. B. 233, a bill to amend chapter 53 of Public Laws of 1931, relating to the fees of the clerk of the Court of Mitchell County, and the salary of the sheriff and treasurer-tax collector of said county, Senator Sparger, and a message is ordered sent to the House of Representatives informing that Body of such action.

Upon motion of Senator Griffin of Franklin, Betsy Dempsey and John Dempsey, daughter and son of Senator Dempsey are made Honorary Pages of the Senate.

Upon motion of Senator Griffin of Franklin, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.



## EIGHTIETH DAY

SENATE CHAMBER,

THURSDAY, April 6, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. S. Farmer of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Bell, H. R. 894, a resolution to pay the expenses of the Committee from the Senate and House of Representatives, visiting the State School for the deaf at Morganton, is taken from the Committee on Appropriations and placed upon the calendar for immediate consideration.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

H. B. 1078, a bill amending the act providing for the extension of special assessments, with a favorable report.

H. B. 1077, a bill relating to special assessments levied by the city of Greensboro, with a favorable report.

H. B. 991, a bill to validate certain sales of land for street assessments in the town of Leaksville, and certificates issued in pursuance thereof, with a favorable report.

H. B. 1156, a bill to allow the commissioners of Transylvania County to accept county bonds in payment of certain taxes, with a favorable report.

H. B. 87, a bill to provide for the payment of taxes in monthly installments in Wake County, with a favorable report.

S. B. 469, a bill to authorize the board of county commissioners of Mitchell County to levy special taxes for jail fees and court expenses, with a favorable report.

S. B. 475, a bill to authorize the governing agencies in Wayne County to acquire their own obligations, with a favorable report.

S. B. 453, a bill to provide for the manner of the payment of certain streets, sidewalk and sewer assessment liens in the city of Goldsboro, with a favorable report.

S. B. 482, a bill to pay Willard R. Cox for State bond stolen from him, provided indemnity is furnished to secure the State of North Carolina against loss, with a favorable report.

S. B. 484, a bill to authorize the issuance of funding bonds of the State, with a favorable report.

S. B. 504, a bill relating to the extension of time for payment of special assessments levied by the city of Thomasville, with a favorable report.

S. B. 493, a bill for the relief of the taxpayers of Gaston, Jackson, Occoneechee and Rich Square Townships of Northampton County, with a favorable report.

H. B. 1086, a bill to authorize the commissioners of the city of Hendersonville and the board of water commissioners of the city of Hendersonville to cancel assessments against all churches and synagogues located in the city of Hendersonville, with an unfavorable report.

H. B. 660, a bill to require the fees for which a county is liable under article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes, with a favorable report.

H. B. 1155, a bill relating to rate of interest on unpaid taxes in Hyde County for the year 1932 and thereafter, with a favorable report.

H. B. 937, a bill to amend chapter 428 of Public Laws of 1931, abolishing penalties on payment of taxes in Pamlico County, with a favorable report.

H. B. 1073, a bill relating to bonds of townships, road districts and township road districts, with an unfavorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 334, a bill to authorize the towns of Waynesville and Hazelwood to establish, construct and maintain a joint sewer disposal system, with a favorable report as amended.

S. B. 414, a bill to fix the compensation of the sheriff of Harnett County, and to clarify the law with respect thereto, with an unfavorable report.

H. B. 809, a bill to reduce the membership of the board of commissioners of Brunswick County, with a favorable report.

H. B. 1007, a bill extending the licensing power of the governing board of the city of Lenoir, with a favorable report.

H. B. 1139, a bill to amend chapter 71 of Private Acts of North Carolina, session 1872-73, relating to the charter of Mooresville in Iredell County, with a favorable report.

H. B. 707, a bill to amend section 3401, Consolidated Statutes of North Carolina, and section 3411 (x), Volume III of the Consolidated Statutes of North Carolina, relating to awards for seizure of stills so as to exempt Moore County from the provisions of said sections, applies also to Lenoir County, with a favorable report.

H. B. 1104, a bill to amend an act entitled "An act to grant a new charter for the town of Pinebluff, Moore County, North Carolina," with a favorable report.

H. B. 1061, a bill to repeal chapter 15 of Private Laws of 1927, and chapter 75 of Private Laws of 1929, relating to the office of chief of police of Marshall, Madison County, with a favorable report.

By Senator Griffin of Franklin, for the Committee on Senatorial Districts:

S. B. 223, a bill to define and establish Senatorial districts of the State as required by the Constitution, and to make apportionment of the members of the Senate, with an unfavorable report.

By Senator McDuffee, for the Committee on Propositions and Grievances:

S. B. 249, a bill regulating and controlling the use of rental batteries, with an unfavorable report.

S. B. 420, a bill to repeal chapter 301, Public Local Laws of 1927, relative to slot machines in Bladen County, with a favorable report.



S. B. 455, a bill to amend chapter 114 of the Private Laws of 1929, relative to regulating opening of gasoline stations and lunch stands in Stanly County on Sunday, with a favorable report.

H. B. 874, a bill to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor, with an unfavorable report.

S. B. 431, a bill to amend chapter 462 of the Public-Local Laws of 1915, relative to domestic fowls running at large in stock law territory in Pitt County, with a favorable report.

By Senator Gwyn, for the Committee on Judiciary No. 1:

S. B. 488, a bill to fix and regulate the court costs and witness fees in the recorder's court of Iredell County, with a favorable report.

H. B. 1015, a bill to amend section 473 of the Consolidated Statutes in regard to additional jurors from other counties instead of removal, not applicable to Ashe County and Durham County, with a favorable report.

H. B. 1026, a bill to amend section 4201 of the Consolidated Statutes, prescribing punishment for manslaughter, with a favorable report.

H. B. 1052, a bill to amend section 1526 of Consolidated Statutes, relating to liability of sureties on bonds to stay execution, with a favorable report.

H. B. 1100, a bill to amend chapter 30, Public Laws of 1931, relating to Judicial Notice of the laws of foreign States, with an unfavorable report.

H. B. 1099, a bill authorizing the county commissioners of Graham County, North Carolina, to pay a reward for evidence to convict any person who violates the provisions or any provision of sections 4309, 4311 and 4312 of Consolidated Statutes of North Carolina, with a favorable report.

H. B. 1134, a bill authorizing and empowering the commissioners of Gaston County, in their discretion, to defer for three years the foreclosure under deeds of trust and mortgages held in the sinking fund of said county, and to authorize and empower said commissioners to sell real estate now or hereafter held by them for the sinking fund of said county upon such terms as, in their discretion they think proper, but in no case for a period longer than five years, with a favorable report.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 448, a bill validating certain deeds and deeds of trust registered in the office of the register of deeds for Vance County.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Aiken: S. B. 510, a bill to amend section 1443 of the Consolidated Statutes, relating to terms of court of Catawba County.

Referred to Committee on Courts and Judicial Districts.

By Senator Burgin: S. B. 511, a bill to amend section 23 of chapter 48, Public Laws of 1927, providing that the attorneys employed by the North Carolina Park Commission shall be approved by the Governor.

Upon motion of Senator Burgin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Bland: S. B. 512, a bill to amend chapter 120, Public Laws of 1929, the same being known as the Workmen's Compensation Act.

Referred to Committee on Insurance.

By Senator Waynick: S. B. 513, a bill to amend chapter 129 of the Consolidated Statutes of North Carolina and acts amendatory thereof in relation to the distribution of State laws, journals, documents, reports and publications to the library of the University of North Carolina.

Referred to Committee on Judiciary No. 1.

By Senator Hinsdale: S. B. 514, a bill to provide civil service for the fire department of the city of Raleigh, North Carolina.

Referred to Committee on Judiciary No. 1.

By Senator MacLean: S. B. 515, a bill to amend the charter of the town of Belhaven, Beaufort County, being chapter 246, Private Laws of 1907.

Upon motion of Senator MacLean, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 258, An act to amend chapter 6 of the Consolidated Statutes of North Carolina on bastardy.

S. B. 353, An act to repeal chapter 399, Public-Local Laws 1929, relating to hunting of foxes in Person County.

S. B. 492, An act to permit the advertisement for sale of beer, lager beer, ale, porter, fruit juices and/or other light wines containing not more than 3.2 per cent alcohol by weight.

S. R. 496, A joint resolution directing the Secretary of State to furnish the registers of deeds in the various counties certified copies of Senate Bill 313, relating to fees for registering Federal crop liens and Federal chattel mortgages.

H. B. 477, An act to amend section 3401 of the Consolidated Statutes as amended, so as to reduce the fee paid for capturing stills in Warren County.

H. B. 566, An act to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the Western Division, Eleventh District, so as to fix the terms of court for Forsyth County.

H. B. 908, An act to extend the powers of the police officers of the various incorporated towns in Rutherford County.



H. B. 1014, An act to amend chapter 207, Public Laws 1927, amending section 1443 of the Consolidated Statutes, relating to terms of court for Rutherford and Polk Counties.

H. B. 1021, An act to amend chapter 53 of the Public Laws of 1927, being "An act to regulate the manufacture and sale of insecticides and fungicides in North Carolina."

H. B. 1115, An act to amend House Bill No. 376, Public-Local Laws of 1933, relating to constable fees in Union County.

H. B. 1138, An act to amend section 1443 of the Consolidated Statutes of North Carolina, relating to terms of Superior Courts in the Sixth Judicial District.

H. B. 1179, an act to prevent the introduction and planting in any of the waters of the State of North Carolina what is known as Japanese, Portuguese or Mongolian oysters.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1161, a bill relating to the payment of township bonds in Rutherford County.

Referred to Committee on Finance.

H. B. 1168, a bill to authorize and empower the city of Asheville to donate water to the Young Women's Christian Association and Young Men's Christian Association, of said city.

Referred to Committee on Counties, Cities and Towns.

H. B. 1181, a bill to amend the official regulations governing the sale of fresh meats in the city of Raleigh and Wake County.

Referred to Committee on Agriculture.

H. B. 1199, a bill to relieve church property in the town of Whitakers, in the counties of Edgecombe and Nash, from all street or sidewalk, paving assessments, when approved by a majority of the voters.

Referred to Committee on Finance.

S. B. 234, a bill to amend Consolidated Statutes with reference to restoration to citizenship, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 115, a bill to amend chapter 21 of the Consolidated Statutes 1919, to make more effective the regulation of public utilities, for concurrence in the House amendment.

Placed upon the Calendar.

H. R. 1182, a resolution to provide for the printing of the Revenue Bill submitted to the General Assembly by the Finance Committee.

Placed upon the Calendar.

H. B. 1183, a bill to provide for, approve, and validate tax listing during the month of April, 1933.

Upon motion of Senator Walker, the rules are suspended and the bill is placed upon its immediate readings.

Senator Kirkpatrick offers an amendment which is adopted.

Senator Aiken offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 1184, a bill relative to damage done by dogs in Surry County.

Referred to Committee on Propositions and Grievances.

H. B. 975, a bill to prohibit the wrongful use of milk bottles, crates, cans and other containers of dairy products.

Referred to Committee on Agriculture.

H. B. 1002, a bill to coördinate the activities of State Departments in maintenance of the sanitary quality and economic utility of North Carolina water courses.

Referred to Committee on Conservation and Development.

H. B. 1129, a bill to repeal chapter 61, Private Laws of 1923, entitled "An act to provide for a commission to operate public utilities supplying water or lights to the citizens of the town of Graham."

Referred to Committee on Conservation and Development.

H. B. 1210, a bill to amend the Machinery Act of 1933, it being "An act to provide for the listing and valuing of all property, real, personal and mixed, at its true value in money."

Upon motion of Senator Bailey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
THURSDAY, April 6, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House has adopted Conferees report on H. B. 233, title "to amend chapter 53 of the Public Laws of 1931, relating to fees of the clerk of court of Mitchell County and salary of the sheriff and treasurer-tax collector of said county," and when a similar report is adopted by your Body, the bill will be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

HOUSE OF REPRESENTATIVES,  
THURSDAY, April 6, 1933.

*Mr. President:*

It is ordered that a message be sent the Senate informing that Honorable Body that the House has adopted the Conferees report on H. B. 847, a bill to be entitled "An act to amend chapter 676 of Public-Local Laws of 1913, An act creating a recorder's court for the town of Denton and Emmons Township, so as to increase the jurisdiction of said court"; and when a message is received from your Body with the information that you have adopted a similar report, the bill will be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 505, a bill providing for special levy for special purposes in Warren County, upon second reading.

The bill passes second reading, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Corey, Cross, Dempsey, Dunagan, Efrid, Francis, Fuller, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Joyner, Kirkpatrick, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Walker—34.

S. B. 373, a bill to amend chapter 104, Public Laws of 1909 and chapter 156, Public-Local Laws of 1911 and chapter 324, Public-Local Laws of 1915 and chapter 24, Public Laws of 1931, relative to the recorder's court of Reidsville township, fixing the salaries respectively of the recorder and solicitor of said court.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 390, a bill to provide two additional terms of civil court for Rowan County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 443, a bill validating the action of the commissioners of Macon County in postponing the sale of land for taxes in Macon County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 499, a bill to include Edgecombe County among the counties making punishment for giving worthless checks under fifty dollars punishable by fine not to exceed fifty dollars or imprisonment for thirty days.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 83, a bill to amend chapter 351 of the Public Laws of 1931, relating to non-resident fishing license in Graham County.

Passes its second and third readings and is ordered enrolled.

H. B. 1059, a bill providing for the working of prisoners on the streets of the town of Maiden, in Catawba County, North Carolina, applicable also to the town of Conover.

Passes its second and third readings and is ordered enrolled.

S. B. 464, a bill to amend section 7067 of the Consolidated Statutes, relating to appointment of a county physician, upon third reading.

Passes its third reading and is ordered sent to the House of Representatives.

S. B. 374, a bill to amend section 1443 of the Consolidated Statutes fixing the terms of court in the several counties, this act relating only to the terms of court in Rockingham County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 476, a bill that the sale of lime produced by convict labor be confined to the various State Departments and its sub-divisions.

Upon motion of Senator Brown, the bill is referred to the Committee on Agriculture.

H. B. 760, a bill to regulate the sale of certain assets of defunct banks.

Passes its second and third readings and is ordered enrolled.

H. B. 802, a bill to amend chapter 448 of the Public Laws of 1931, relating to cartways, so as to include neighborhood public roads.

Passes its second reading and upon objection of Senator Kirkpatrick to its final passage, the bill remains upon the Calendar.

H. R. 894, a resolution to pay the expenses of the committee from the Senate and the House of Representatives visiting the State School for the Deaf at Morganton.

Passes its second and third readings and is ordered enrolled.

H. B. 918, a bill to amend section 220 (E), Consolidated Statutes of 1919, Volume III, as amended, and to limit the powers of the commissioner of banks.

Passes its second and third readings and is ordered enrolled.

H. B. 940, a bill to amend section 1443 of the Consolidated Statutes fixing the terms of court in the several counties, this bill relating only to the terms of court in Stanly County.

Passes its second and third readings and is ordered enrolled.

H. R. 946, a joint resolution relating to connection of the State highway system with Roanoke Island.

Passes its second and third readings and is ordered enrolled.

H. B. 1010, a bill to authorize the State Highway Commission to provide for tolls over and to give appropriate highway number to the proposed Cape Lookout bridge and highway.

Passes its second and third readings and is ordered enrolled.

#### CONFERENCE REPORT

Senator Burgin for the conferees appointed to consider the difference arising upon H. B. 847, a bill to amend chapter 676 of the Public-Local Laws of 1913, "An act creating a recorder's court for the town of Denton and Emmons township, so as to increase the jurisdiction of said court," submits the following report:

The Conferees appointed for House Bill 847 submit the following report:

We recommend that the House concur in the Senate amendment which makes the first paragraph of section 1 of said bill read as follows: "By striking out from section seven the following sub-paragraphs thereof, to wit: (a), (b), (c), (d), which sub-paragraphs define the jurisdiction of said court, and by inserting in lieu thereof the following":

We further recommend that the Senate recede from its amendment providing for striking out the word "now" in line three of sub-paragraph (a), and inserting the word "not" in lieu thereof, so that the said sub-paragraph will read as originally in said bill.

L. M. BLUE,  
W. O. BURGIN,  
*Senate Conferees.*

J. R. YOUNG,  
JULIUS DEES,  
HUBERT E. OLIVE,  
*House Conferees.*



Upon motion of Senator Burgin, the report of the conference committee is adopted and a message is ordered sent to the House of Representatives, informing that body of such action.

Senator Francis for the conferees appointed to consider the differences arising upon H. B. 233, a bill to amend chapter 53 of the Public Laws of 1931, relating to the fees of the clerk of the court of Mitchell County and the salary of the sheriff and treasurer-tax collector of said county, submits the following report:

*To the Senate and the House of Representatives:*

We, the undersigned conferees appointed by the Senate and by the House of Representatives to consider the differences arising over House Bill 233, respectfully submit the following report and recommend:

That the Senate recede from the amendment adopted by it to the above mentioned original bill.

Respectfully submitted,

W. R. FRANCIS,

S. G. SPARGER,

*Conferees on the part of the Senate.*

C. W. ALLEN,

TIPTON S. GREENE,

JULIUS C. MARTIN,

*Conferees on the part of the House.*

Upon motion of Senator Francis, the report of the Conference Committee is adopted and a message is ordered sent to the House of Representatives, informing that Body of such action.

Senator Clement for the conferees appointed to consider the differences arising upon S. B. 125, a bill to make appropriations for the maintenance of the State Departments, Bureaus, Institutions and Agencies and for other purposes, and to reduce salaries of officers, employees and agents, submits the following report:

REPORT OF THE CONFERENCE COMMITTEE ON THE APPROPRIATION BILL  
FOR THE BIENNIUM 1933-35

*To the President of the Senate and the Speaker of the House of Representatives:*

The undersigned Conferees do hereby report that they have agreed upon a Conference Report and recommend to the Senate and the House of Representatives the adoption of the following:

CONFERENCE REPORT

*General Fund*

1933-34

1934-35

I. *Legislative*

1. General Assembly (Session of 1935)

It is recommended that the House adopt the Senate amendment reducing this appropriation from \$161,550 to

\$ 158,550

II. *Judicial*

## 2. Supreme Court—Departmental Expenses

It is recommended that the Senate and the House appropriate the sum of

\$ 14,750      \$ 14,750

III. *Executive and Administrative*

It is recommended that the Senate and House make the following appropriations for each year of the biennium, to-wit:

1. Governor's Office		
(1) Governor's Office	20,100	20,100
(2) The Budget Bureau	21,950	25,000
(3) Division of Purchase and Contract	17,330	17,330
2. Secretary of State	10,525	10,525
3. State Auditor	24,140	24,140
4. State Treasurer	20,760	20,760
5. Attorney General	18,445	19,195
6. Department of Revenue	133,850	133,850
7. Department of Public Instruction	56,910	56,910
8. Historical Commission	13,050	10,905
9. State Library	4,530	4,570
10. Library Commission	9,685	9,685
11. Board of Charities and Public Welfare	28,360	28,360
12. State Board of Health	215,310	215,310
13. Adjutant General	60,350	60,350
14. Corporation Commission	25,060	22,090
15. Insurance Department	51,310	51,310
16. Department of Labor:		
(1) Department of Labor	28,625	28,625
(2) Industrial Commission	21,150	21,150
It is further recommended that the explanatory paragraph under this item in the House Bill be stricken out.		
17. Department of Conservation and Development	29,645	29,645
18. State Board of Elections	5,655	6,655
19. Local Government Commission	28,560	28,560
20. Department of Agriculture, for Gasoline and Oil Inspection	15,660	15,660
21. Department of Agriculture, for Weights and Measures	2,430	2,430
22. Board of Public Buildings and Grounds:		
(1) Public Buildings and Grounds	65,870	65,870
(2) Governor's Mansion	6,910	6,910

IV. *Educational Institutions*

## 1. University of North Carolina (Consolidated)

It is recommended that the House adopt the Senate appropriation of

\$32,240      \$32,240



The \$72,000 increase appropriated by the Senate was for laboratory equipment and upkeep expenses which had depreciated during the last two years.

6. Appalachian State Teachers' College.

It is recommended that the Senate and House appropriate

	\$ 52,550	\$ 52,550
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V. *Charitable and Correctional Institutions*

6. State Hospital at Goldsboro

It is recommended that the House adopt the Senate appropriation of

	150,000	150,000
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13. North Carolina Soldiers' Home.

It is recommended that the House adopt the Senate appropriation of

	16,000	12,000
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VI. *State Aid and Obligations*

1. Board of Charities and Public Welfare:

(1) Mothers' Aid.

It is recommended that the House adopt the Senate appropriation of

	32,500	32,500
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(2) Care Dependent Children

It is recommended that the House adopt the Senate appropriation of

	3,000	3,000
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2. Board of Health for Orthopedic Clinics.

It is recommended that the House adopt the Senate appropriation of

	4,800	4,800
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3. State Board Vocational Education for Vocational Education

It is recommended that the Senate and House appropriate

	90,000	90,000
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4. State Board Vocational Education for Industrial Rehabilitation

It is recommended that the House adopt the Senate appropriation of

	7,200	7,200
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IX. *Public Schools*

It is recommended that the House adopt the Senate appropriation of

	16,000,000	16,000,000
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(For a State-wide eight months public school in place of the present six months and extended terms and for this appropriation no ad valorem taxes shall be assessed or levied.)

X. *Debt Service (General Fund)*

1. Interest on Bonds

It is recommended that the House adopt the Senate appropriation of

	2,787,705
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(This was a clerical error for the 1933-34 appropriation bill as passed by the House.)

*Agriculture Fund*XI. *Agriculture*

It is recommended that the Senate and House make the following appropriations for each year of the biennium, to-wit:

1. Department of Agriculture	\$ 189,850	\$ 189,850
3. State College:		
(1) Experiment Station	26,350	26,350
(2) Seed Improvement	4,550	4,550

*Highway Fund*XII. *Highways*

It is recommended that the Senate and House make the following appropriations for each year of the biennium, to-wit:

1. Highway Commission Administration	113,650	113,650
2. Motor Vehicle Bureau and Highway Patrol	379,100	379,100
3. Maintenance State Highways	1,680,000	1,680,000
4. Maintenance County Highways	4,320,000	4,320,000
5. Repayment County Loans	511,800	509,650
6. Construction State Highways	190,000	

7. It is recommended that sub-section 7 as passed by the House be stricken out and the following inserted in lieu thereof:

"(The appropriations to the Motor Vehicle Bureau and Highway Patrol under title XII-2 include \$32,000 for each year to be transferred or paid to the Department of Revenue for General Administration and Supervision.)"

*Transfer from the Highway Fund to the General Fund*

It is recommended that the following be substituted in lieu of Section 4 as passed by the House, to wit:

Section 4. The State Highway Commission is established on a self-supporting basis through the levy of motor vehicle licenses and taxes, but being a part of the State Government, to be fully self-supporting, it should contribute reasonably to the cost of general government; there is preempted to it certain sources of revenue to which general government is denied, but the funded debt obligations of the State Highway Commission are also obligations of the State itself.

Under this assumption, it is deemed that one million dollars a year would be a reasonable contribution by the Highway Fund to the debt service cost of general government, and there is hereby appropriated out of the surplus, if any, of the Highway Fund for transfer to and use by the General Fund for debt service, or for any existing deficit, the sum of one million dollars for the fiscal year ending June 30, 1934, and the sum of one million dollars for the fiscal year ending June 30, 1935:



*Provided*, these sums shall not be available unless and until full provision is made for the expense of collecting Highway revenues, for the administration of the Highway Commission, for the service of the Highway Debt, and for maintenance of the State and County Highways (as set out under titles XII and XIII of Section 3 of this act), and there then remains a sufficient balance or surplus in the State Highway Fund.

*Reducing Salaries and Wages*

It is recommended that Section 5 as passed by the House be stricken out and the following substituted in lieu thereof, to wit:

Section 5. The costs of all salaries and wages to be paid out of or under the appropriations made in sections one, two and three of this act, or to be paid out of any expendable receipts, to officers, employees and agents of the State, or of any of its departments, bureaus, institutions and agencies, are hereby reduced to not more than such sums as are provided under the appropriations to the several departments, bureaus, institutions and agencies for each of the fiscal years 1933-34 and 1934-35.

(a) It is the intention to reduce the costs of all such salaries and wages under the appropriations, and/or expendable receipts, under titles II Supreme Court Departmental Expense, III Executive and Administrative and VI State Aid and Obligations, of section one; under title XI Agriculture, of section two; and under title XII Highways, of section three, by at least thirty-eight per cent (38%) of the salaries, wages and rates that would have been in effect July first, nineteen hundred thirty, taking into consideration changes in organization, staff requirements and such other factors as might have changed the basis:

(b) It is the intention to reduce the costs of all such salaries and wages under the appropriations, and/or expendable receipts, under titles IV Educational Institutions and V Charitable and Correctional Institutions, of section one, by at least thirty-two per cent (32%) of the salaries, wages and rates that would have been in effect July first, nineteen hundred thirty, taking into consideration changes in organization, staff requirements and such other factors as might have changed the basis:

(c) Within the amounts provided and the intentions expressed in subsections (a) and (b), the assistant director of the budget for the departments, bureaus and other agencies coming within the Personnel Act (Chapter 277 of the Public Laws of 1931) and the several boards of commissions for the institutions, and certain officers of departments as are so governed, shall reduce and adjust the salaries and wages of all officers, employees and agents under their respective jurisdictions.

(d) It is the intention to reduce the costs of all salaries and wages under appropriations under title IX Public Schools, of section one, by at least thirty-five per cent (35%) as concerning superintendents, of the salaries, wages and rates in effect the present scholastic year, 1932-33; by at least thirty-five per cent (35%) as concerning principals and by at least thirty per cent (30%) as concerning teachers and all other employees, of the salaries, wages and rates that would have been in effect July first, 1930. The reduction and adjustments shall be effected by the State Board of

Equalization, or by such other body as may succeed in its place, in the allocation of the appropriations.

Section 6. It is recommended that the House adopt the Senate appropriations under Section 6 as follows:

Section 6. The salaries of certain officers now fixed by statute shall be reduced and fixed at rates per annum as shown in the following schedule:

State Librarian.....	\$1,800
Adjutant General.....	3,825
Chairman, Corporation Commission.....	4,250
Corporation Commissioner and ex-officio Securities Commissioner.....	4,500
Corporation Commissioner.....	3,825

This section does not include officers whose salaries are fixed by statute either originally or in reduced sums at this session of the General Assembly.

Section 7. It is recommended that the House adopt the Senate amendment to Section 7 as follows:

Fees of compensation to be paid to members of boards or commissions for attendance out of or under the appropriations made in Sections one, two and three of this act shall be reduced and fixed at rates per diem as shown in the following schedule:

Advisory Budget Commission, \$7.00 and necessary travel expenses.

State Board of Equalization, \$7.00 and necessary travel expenses.

Highway Commission, \$7.00 and necessary travel expenses.

All other boards and commissions, including those governing the institutions, but not including such as its members are now serving without compensation—\$3.50 per day and 5 cents per mile of travel going and returning, in lieu of per diem and travel expenses.

#### *General Provisions*

Section 8. It is recommended that Section 8 of the House Bill be stricken out and the following inserted in lieu thereof as:

Section 8. Allowances out of or under the appropriations made in Sections one, two and three of this act for travel expenses cover only ordinary field and occasional travel in connection with the work of the department, institution, or agency, and shall be so limited, unless provision is made through a travel authorization by the Director of the Budget for convention, conference, or out-of-State travel. Allowances shall not be made in excess of the following: For subsistence—hotel and meals—in towns of less than 10,000 population, \$3. per day; over 10,000 and less than 20,000, \$3.50 per day; over 20,000, \$4 per day; for convention, conference or out-of-State, when authorized, \$6 per day; for transportation, using personally owned automobile, five cents per mile of travel.

Section 9. It is recommended that the Senate adopt Section 9 as passed by the House.

#### *Special Provisions*

Section 10. It is recommended that the Senate adopt Section 10 as passed by the House.



Section 11. It is recommended that the Senate adopt Section 11 as passed by the House.

Section 12. It is recommended that the Senate adopt Section 12 as passed by the House.

Section 13. It is recommended that the Senate adopt Section 13 as passed by the House.

Section 14. It is recommended that the Senate adopt Section 14 as passed by the House.

Section 15. It is recommended that the Senate adopt Section 15 as passed by the House.

Section 16. It is recommended that Section 16 of the House Bill be stricken out.

Section 17. It is recommended that Section 17 of the House Bill be stricken out and the following inserted in lieu thereof as:

Sec. 16. The appropriations for Pensions to Confederate Veterans and Widows under title VII-1, section 1, of this act shall be apportioned by the State Auditor. The apportionment shall be made by dividing the appropriation for each year into two estimated parts, one to pay the pensions due on the fifteenth day of December and the second to pay the pensions due on the fifteenth day of June; each part shall be apportioned among the Confederate veterans and widows of Confederate veterans listed on the pension rolls according to their various classes at each respective date. Colored laborers and servants now drawing pensions, as well as any others who may hereafter become entitled to such pensions, shall be paid out of the same appropriation and included in like manner in the apportionment. The amounts of all pension warrants returned unaccomplished because of the death of the pensioner or otherwise, or that there is no one entitled to receive the same, shall lapse and revert to the General Fund and become applicable to other appropriations for the biennium.

Sec. 18. It is recommended that section 18 of the House Bill be adopted as section 17 of the Conference Committee Bill.

Sec. 19. It is recommended that section 19 of the House Bill be adopted as section 18 of the Conference Committee Bill.

#### *Deficiencies*

Sec. 20. It is recommended that section 20 of the House Bill be adopted as section 19 of the Conference Committee Bill.

Sec. 21. It is recommended that section 21 of the House Bill be adopted as section 20 of the Conference Committee Bill.

#### *Effective*

Sec. 22. It is recommended that section 22 of the House Bill be adopted as section 21 of the Conference Committee Bill.

Sec. 23. It is recommended that section 23 of the House Bill be adopted as section 22 of the Conference Committee Bill.

Sec. 24. It is recommended that section 24 of the House Bill be adopted as section 23 of the Conference Committee Bill.

All of which is respectfully submitted this the 5th day of April, 1933.

HAYDEN CLEMENT,

A. D. MACLEAN,

DUDLEY BAGLEY,

*Conferees on the part of the Senate.*

HARRISS NEWMAN,

G. A. BARDEN,

J. C. MOYE,

ERNEST GRAHAM,

R. T. GREER,

*The last two sign with reservations  
as to the eight months school.*

R. G. CHERRY,

*Conferees on the part of the House.*

The report is placed upon the Calendar.

Senator Dunagan for the conferees appointed to consider the differences arising upon S. B. 381, submits the following report.

*To the President of the Senate and Speaker of the House:*

We, the undersigned conferees appointed to consider Senate Bill 381, being an act to provide for funding and refunding of debts of local units of government other than of counties, cities and towns, beg leave to report:

That after careful reading of Senate Bill 381, and the companion bills, Senate Bills 382 and 383, we are of the opinion that the matter contained in the amendment to this bill is covered by the provisions of the bills and do recommend that the House recede from all of its amendments to this bill.

Respectfully submitted,

STOVER P. DUNAGAN,

CAPUS M. WAYNICK,

C. E. BLACKSTOCK,

*Conferees for the Senate.*

S. M. GATTIS, JR.

R. A. DOUGHTON,

LUTHER HAMILTON,

A. R. PHILLIPS,

*Conferees for the House.*

Upon motion of Senator Dunagan the report of the conference committee is adopted and a message is ordered sent to the House, informing that Body of such action.

Senator Dunagan for the conferees appointed to consider the differences arising upon S. B. 382, submit the following report:

*To the President of the Senate and Speaker of the House:*

We, the undersigned conferees appointed on Senate Bill 382, being an act to amend chapter 60 of the Public Laws of One Thousand Nine Hundred and Thirty-one, as amended, and to amend chapter 418 of the Public Laws of One



Thousand Nine Hundred and Thirty-one, relating to provisions in funding and refunding bonds, beg to report:

That after careful reading of Senate Bill 382, and its companion bills Senate Bills 381 and 383, we are of the opinion that the matters contained in the amendments to this bill are covered by the provisions of the bills, except as to the amendments offered by Griffin, providing for an extra section to be numbered five; and do recommend that the House recede from the amendments offered except the amendments offered by Griffin, and that the Senate agree to the amendments by Griffin.

Respectfully submitted,

STOVER P. DUNAGAN,

CAPUS M. WAYNICK,

C. E. BLACKSTOCK,

*Conferees for the Senate.*

S. M. GATTIS, JR.,

R. A. DOUGHTON,

LUTHER HAMILTON,

A. R. PHILLIPS,

*Conferees for the House.*

Upon motion of Senator Dunagan, the report of the conference committee is adopted and a message is ordered sent to the House, informing that Body of such action.

Senator Dunagan for the conferees appointed to consider the differences arising upon S. B. 383, submits the following report:

*To the President of the Senate and Speaker of the House:*

We, the undersigned conferees appointed on Senate Bill 383, being an act to allow counties, municipalities and other governing units to fund and refund their obligations: to amend the local government act, being chapter 60 of the Public Laws of One Thousand Nine Hundred and Thirty-one; to amend the Municipal Finance Act, as amended; being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act, as amended, being chapter 81 of the Public Laws of One Thousand Nine Hundred and Twenty-seven, and to amend chapter 294 of the Public Laws of One Thousand Nine Hundred and Thirty-one,, beg to report:

That after careful reading of Senate Bill 383, and its companion bills Senate Bills 381 and 382, we are of the opinion that the matter contained in the amendments to this bill is covered by the provisions of the bills and do recommend that the House recede from all of its amendments to this bill.

Respectfully submitted,

STOVER P. DUNAGAN,

CAPUS M. WAYNICK,

C. E. BLACKSTOCK,

*Conferees for the Senate.*

S. M. GATTIS, JR.,

R. A. DOUGHTON,

LUTHER HAMILTON,

A. R. PHILLIPS,

*Conferees for the House.*

Upon motion of Senator Dunagan, the report of the Conference Committee is adopted and a message is ordered sent to the House, informing that Body of such action.

Upon motion of Senator Dunagan, H. B. 1098, a bill to be entitled "An act to amend chapter 342, Private Laws of 1901, relating to Scotland Neck," is taken from the Committee on Counties, Cities and Towns and re-referred to the Committee on Finance.

Upon motion of Senator Burgin, H. B. 1069, a bill fixing the compensation of the clerk of the court, register of deeds and sheriff of Montgomery County and the duties thereof, is taken from the Committee on Salaries and Fees and referred to the Committee on Judiciary No. 2.

#### MESSAGE FROM THE SUPREME COURT

The President announces receipt of a communication from the Supreme Court of North Carolina as follows:

*To the General Assembly of North Carolina:*

GENTLEMEN: In compliance with your request contained in Joint Resolution No. 31, copies of which have been transmitted to each of us by the President of the Senate, and the Speaker of the House of Representatives, as directed by the Resolution, we, the Chief Justice and Associate Justices of the Supreme Court of North Carolina, have inspected, and carefully considered the provisions of Senate Bill No. 320, introduced by Senator A. D. MacLean, and of House Bill No. 879, introduced by Representative Murphy.

You request us further to advise you whether in the opinion of said Chief Justice and Associate Justices, the said bills, either or both of them, set up the Constitutional procedure by which a Convention of the people of this State may be called for the purpose of passing on the proposed amendment of the Constitution of the United States, referred to in said Resolution. We herewith comply with this request.

It is the opinion of the Chief Justice and Associate Justices of the Supreme Court of North Carolina, as individuals, that a Convention called, organized and held under the provisions of Senate Bill No. 320, introduced by Senator MacLean, and now pending in the Senate, if said bill shall be enacted by the General Assembly of North Carolina, would be valid under the provisions of Section 1, Article XIII, of the Constitution of North Carolina, and that the action of such Convention upon the proposed Amendment to the Constitution of the United States would be valid and effective for all purposes.

There is a difference of opinion, among the Chief Justice and Associate Justices of the Supreme Court of North Carolina, as to the validity of a Convention in this State as provided for, organized and held under the provisions of House Bill No. 879, introduced by Representative Murphy, and now pending in the House of Representatives, if said bill shall be enacted by the General Assembly, the majority being of opinion that such Convention would not be valid for any purpose, the minority being of a contrary opinion.

It is deemed proper to say that it is the opinion of the Chief Justice and Associate Justices of the Supreme Court of North Carolina that the question presented by Joint Resolution No. 31, in its final analysis, is a Federal question, and can be answered only by the Supreme Court of the United States,



when properly presented to that Court. Whether or not a proposed Amendment to the Constitution of the United States has been submitted by Congress and ratified in accordance with the provisions of Article V of said Constitution, must necessarily be determined finally by the Supreme Court of the United States.

Notwithstanding this principle, we have deemed it our duty as Chief Justice and Associate Justices of the Supreme Court of this State to comply with the requests of the General Assembly contained in Joint Resolution No. 31.

Respectfully,

W. P. STACY,  
*Chief Justice.*

W. J. ADAMS,  
*Associate Justice.*

HERIOT CLARKSON,  
*Associate Justice.*

G. W. CONNOR,  
*Associate Justice.*

W. J. BROGDEN,  
*Associate Justice.*

Upon motion of Senator MacLean, the report is referred to the Committee on Constitutional Amendments.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## EIGHTY-FIRST DAY

SENATE CHAMBER,

FRIDAY, April 7, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. A. S. Parker, Central M. E. Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the lobby are extended to Misses Neal and Hobby and their class of Southside School of Durham; Senior Class of Bunn High School; Lumberton High School and Professor Hudson.

Upon motion of Senator Griffin of Franklin, H. B. 1235, a bill to amend chapter 176, Public-Local Laws of 1911, relating to the recorder's court of Nash County, is taken from the Committee on Courts and Judicial Districts and placed upon the Calendar.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator McNeill of Ashe, for the Committee on Agriculture:

S. B. 282, a bill to repeal sections 1, 2 and 3 of chapter 261 of the Public Laws of 1927, and to transfer the duties of the superintendent of weights and measures to the divisions of gas and oil inspection without additional salary, with an unfavorable report.

S. B. 476, a bill that the sale of lime produced by convict labor be confined to the various State departments and its sub-divisions, with a favorable report.

S. B. 486, a bill to authorize the forestry department of the North Carolina State College of Agriculture and Engineering of the University to borrow funds for the purchase of forest lands, with a favorable report.

S. B. 506, a bill to amend section 1864 (a) Consolidated Statutes of North Carolina so as to exempt certain portions of land in Onslow County from the provisions of the stock law, with a favorable report.

H. B. 969, a bill relating to the purchase and sale of milk bottles, with a favorable report.

H. B. 975, a bill to prohibit the wrongful use of milk bottles, crates, cans and other containers of dairy products, with a favorable report, as amended.

H. B. 987, a bill for the betterment of farming conditions in Graham County, with an unfavorable report.

H. B. 1055, a bill to prevent the killing, selling and shipping calves for veal in Macon County, with a favorable report.

By Senator Aiken, for the Committee on Courts and Judicial Districts:

H. B. 240, a bill to amend section 1569 of the Consolidated Statutes relating to removal of cases in courts of justices of peace, with a favorable report.

S. B. 510, a bill to amend section 1443 of the Consolidated Statutes relating to terms of court of Catawba County, with a favorable report.

S. B. 441, a bill to amend section 1443 of the Consolidated Statutes relating to courts of Wayne County, with a favorable report, as amended.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

S. B. 379, a bill relating to the board of county commissioners of Buncombe County fixing their duties, with a favorable report, as amended.

H. B. 625, a bill to amend chapter 121, Private Laws, 1931, the same being "An act to incorporate the city of Asheville, to define its corporate limits, to provide for its government and for other purposes," by amending article 4, section 31, in so far as the same applies to the solicitor of the police court, in so far as the same attempts to define his duties, with a favorable report, as amended.

H. B. 627, a bill to amend chapter 186, Private Laws 1931, being "An act to amend Senate Bill 395, being the charter of the city of Asheville, pertaining to the reduction of salaries of councilmen and other employees," with a favorable report, as amended.

H. B. 742, a bill to authorize the county commissioners of Vance County to combine the office of county accountant or auditor with the office of register of deeds, with an unfavorable report.

H. B. 743, a bill relating to the salaries of the officers of Vance County, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.



By Senator Hanes, for the Committee on Insurance:

S. B. 419, a bill to create and establish a State fund for the purpose of providing insurance for employers subject to the Workmen's Compensation Act, to provide for the administering said fund and to amend chapter 120, Public Laws 1929, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

Upon motion of Senator Hanes, the bill is made a special order, Tuesday, April 11, 1933.

S. B. 512, a bill to amend chapter 120, Public Laws of 1929, the same being known as the Workmen's Compensation Act, with a favorable report.

S. B. 471, a bill to amend section 2751 of the Consolidated Statutes of North Carolina, pertaining to discretionary powers by the State Insurance Department and the local building inspector in Durham County, with an unfavorable report.

H. B. 1106, a bill to amend section 2751 of the Consolidated Statutes of North Carolina, giving the State Insurance Department discretionary powers with respect to parapet walls, with a favorable report.

By Senator Grady, for the Committee on Judiciary No. 2.

H. B. 242, a bill to amend section 10, chapter 135, Public Laws of North Carolina, session 1925, relating to removal of cases in courts of justices of peace, with a favorable report.

H. B. 241, a bill to amend section 1498 of the Consolidated Statutes relating to removal of cases in courts of justices of peace, with a favorable report.

H. B. 1060, a bill to amend chapter 115, Private Laws of 1899, relating to the charter of the town of Greenville, with a favorable report.

S. R. 461, a joint resolution providing for the acceptance of a memorial to Governor Burke and to provide for the transportation and erection of the same, with a favorable report.

S. B. 445, a bill to amend section 1443 of Volume III of the Consolidated Statutes providing an additional term of court for Mitchell County, with a favorable report.

H. B. 349, a bill to employ a court stenographer for the county of Ashe, with an unfavorable report.

H. B. 896, a bill to provide for jury trials in the general county court of Bertie County, and for regulating appeals in criminal causes from said court, and providing for waiver of jurisdiction by defendants in criminal causes and offenses less than capital, with a favorable report.

H. B. 972, a bill to provide for a calendar in the criminal courts of Columbus County, with a favorable report.

H. B. 1039, a bill for the protection of Mount Pleasant Church and Samaria Church, in Ferrells Township, Nash County, and Macedonia Church, in Coopers Township, Nash County, with a favorable report.

H. B. 1045, a bill to make the possession of machine guns and other like weapons unlawful, with a favorable report.

H. B. 1091, a bill to limit the time in which actions may be maintained to recover deficiency judgments after the foreclosure of mortgages and deeds of trust on real estate, with a favorable report.

H. B. 1092, a bill for the relief of the estates of deceased persons, with an unfavorable report.

H. B. 1170, a bill to amend section 10 and section 13 of chapter 33, Public Laws of 1929, with a favorable report.

H. B. 1102, a bill to regulate the sale of milk bottles and containers in Mecklenburg County, with a favorable report.

By Senator Griffin of Chowan, for the Committee on Commercial Fisheries:

H. B. 1125, a bill to regulate fishing in the various swamps, marshes and creeks in Columbus County, with a favorable report.

H. B. 1066, a bill to allow fishing in the Tennessee River and certain tributaries thereof in Macon County, with a favorable report.

S. B. 507, a bill to amend section 1908, Consolidated Statutes of North Carolina, pertaining to the leasing of oyster and clam bottoms, with a favorable report.

H. B. 289, a bill to amend chapter 450, Public-Local Laws, regular session of General Assembly 1931, relating to fishing in Tennessee River, with a favorable report.

H. B. 322, a bill to regulate seining in Caswell County, with a favorable report.

H. B. 135, a bill to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein, with a favorable report.

H. B. 317, a bill to prohibit seining and trapping fish in the Dan, Mayo and Smith Rivers in Rockingham and Stokes counties, with a favorable report.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 374, a bill to amend section 1443 of the Consolidated Statutes fixing the terms of court in the several counties, this act relating only to the terms of court in Rockingham County.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Blue: S. B. 516, a bill supplemental to and amendatory of House Bill 158, ratified March 13, 1933, relating to methods of sale of property under tax liens.

Referred to Committee on Finance.

By Senator Land: S. B. 517, a bill to empower the board of county commissioners of Iredell County to abolish the office of treasurer and to create the office of tax collector and to fix and regulate the salaries of officers of Iredell County.

Placed upon the Calendar.



By Senator Cross: S. B. 518, a bill to authorize the issuance of scrip by Lee County.

Placed upon the Calendar.

By Senator Hinsdale: S. B. 519, a bill amending Senate Bill 180, the same being a bill entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates" by leaving the operation of said law in so far as Wake County is concerned in the discretion of the commissioners of said county.

Placed on the Calendar.

By Senator Moore: S. B. 520, a bill to amend Senate Bill 10, the same being "An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities," ratified the third day of April, 1933.

Upon motion of Senator Moore, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Dempsey: S. B. 521, a bill to amend section 5168 (j) of Volume III of the Consolidated Statutes, as amended by chapter 300, Public Laws of 1929, relating to pensions for widows of Confederate Veterans.

Referred to Committee on Pensions.

By Senator Dempsey: S. B. 522, a bill to regulate the sale of unginned seed cotton in Wilson County.

Referred to Committee on Agriculture.

By Senator Hinsdale: S. B. 523, a bill to amend section 1136 of the Consolidated Statutes to provide for the filing of annual reports (other than tax reports) of domestic and foreign corporations doing business in this State, and to provide a fee for the same.

Referred to Committee on Judiciary No. 1.

#### ENROLLED BILLS

Senator Bell, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. R. 500, a joint resolution commending Walter Murphy to the New National Administration.

S. B. 503, an act to amend chapter 174, Public Laws 1905, so as to decrease the number of trustees of the Morganton Graded school, and to provide for the election of their successors by the people.

H. B. 83, an act to amend chapter 351 of the Public Laws of 1931, relating to non-resident fishing license.

H. B. 233, an act to amend chapter 53 of the Public Laws of 1931, relating to the fees of the clerk of the court of Mitchell County and the salary of the sheriff and treasurer-tax collector of said county.

H. B. 760, an act to regulate the sale of certain assets of defunct banks.

H. B. 847, an act to amend chapter 676 of the Public-Local Laws of 1913, an act creating a recorder's court for the town of Denton and Emmons Township so as to increase the jurisdiction of said court.

H. R. 894, a joint resolution to pay the expenses of the committee from the Senate and House of Representatives visiting the State School for the Deaf at Morganton.

H. B. 918, an act to amend section 220 (E) Consolidated Statutes of 1919, Volume III, as amended, and to limit the powers of the commissioner of banks.

H. B. 940, an act to amend section 1443 of the Consolidated Statutes fixing the terms of court in the several counties—this bill relating only to the terms of court in Stanly County.

H. R. 946, a joint resolution relating to connection of the State highway system with Roanoke Island.

H. B. 1010, an act to authorize the State highway commission to provide for tolls over and to give appropriate highway number to the proposed Cape Lookout bridge and highway.

H. B. 1059, an act providing for the working of prisoners on the streets of the town of Maiden, in Catawba County, North Carolina, (Applicable also to the town of Conover).

H. B. 1210, An act to amend the Machinery Act of 1933, it being H. B. 914, and entitled "An act to provide for the listing and valuing of all property real, personal and mixed at its true value in money."

H. B. 1155, An act relating to rate of interest on unpaid taxes in Hyde County for the year 1932 and thereafter.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1054, a bill to amend chapter 169, Public Laws of 1921, relating to sanitary conditions in creameries, ice cream, butter and cheese factories.

Referred to Committee on Public Health.

H. B. 1107, a bill to amend section 2187 of the Consolidated Statutes, relating to the procedure to compel guardians to account.

Referred to Committee on Judiciary No. 1.

H. B. 1205, a bill to amend section 1891 of the Consolidated Statutes as amended by chapter 168, Public Laws 1925, relating to license for fyke nets and motor boats.

Referred to Committee on Fish and Fisheries.

H. B. 1211, a bill to change the incorporated boundaries of the town of Whiteville, in Columbus County.

Referred to Committee on Counties, Cities and Towns.

H. B. 1212, a bill to define the boundaries of Kelly Cemetery, Abbotts Township, Bladen County, and to appoint trustees for said cemetery.

Referred to Committee on Counties, Cities and Towns.

H. B. 1213, a bill to validate sales of real estate for taxes in Caldwell County.

Referred to Committee on Finance.

H. B. 1214, a bill to increase the number of the members of the board of education in Caldwell County.

Referred to Committee on Education.



H. B. 1217, a bill to amend the fishing laws as to Cherokee County.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1219, a bill to create and appoint a board of trustees for the Aurora Graded School District in Beaufort County.

Referred to Committee on Education.

H. B. 1233, a bill to regulate the grand jury of Mecklenburg County.

Referred to Committee on Judiciary No. 1.

H. B. 1234, a bill to amend section 2776 (s) of chapter 56 of the Consolidated Statutes of North Carolina, Volume III, 1924, relating to the regulation and restriction of the uses of buildings and lots in Pasquotank County.

Referred to Committee on Judiciary No. 2.

H. B. 1235, a bill to amend chapter 176, Public-Local Laws of 1911, relating to the recorder's court of Nash County.

Referred to Committee on Courts and Judicial Districts.

HOUSE OF REPRESENTATIVES,

April 7, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House of Representatives has adopted the report of the Conferees on House Bill 125, the Appropriations Bill, and upon receipt of a similar message from your Body, the bill will be ordered enrolled.

Respectfully,

THAD EURE,

*Clerk of the House.*

HOUSE OF REPRESENTATIVES,

April 7, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House has failed to concur in Senate amendments to House Bill Number 550, title "to provide for regulation of automobile liability insurance rates," and asks for a conference. The Speaker has appointed as conferees on the part of the House, Messrs. Johnson of Pender, Grant and Olive.

Respectfully,

THAD EURE,

*Clerk of the House.*

The President appoints as Conferees on the part of the Senate, Senators Bland and Cross and a message is ordered sent to the House of Representatives informing that Body of such action.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 505, a bill providing for special levy for special purposes in Warren County, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clark, Corey, Cross, Dempsey, Efrid, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—39.

The bill is ordered sent to the House of Representatives.

S. B. 453, a bill to provide for the manner of the payment of certain streets, sidewalks and sewer assessment liens in the city of Goldsboro, upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clark, Corey, Cross, Dempsey, Efrid, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—39.

S. B. 493, a bill for the relief of the tax payers of Gaston, Jackson, Occoneechee and Rich Square Townships of Northampton County, upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clark, Corey, Cross, Dempsey, Efrid, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—39.

S. B. 504, a bill relating to the extension of time for payment of special assessments levied by the city of Thomasville, upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clark, Corey, Cross, Dempsey, Efrid, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—39.

S. B. 334, a bill to authorize the towns of Waynesville and Hazelwood to establish, construct and maintain a joint sewer disposal system, upon second reading.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clark, Corey, Cross, Dempsey, Efrid, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—39.



S. B. 469, a bill to authorize the board of county commissioners of Mitchell County to levy special taxes for jail fees and court expenses.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 475, a bill to authorize the governing agencies in Wayne County to acquire their own obligations.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 488, a bill to fix and regulate the court costs and witness fees in the Recorder's Court of Iredell County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 87, a bill to provide for the payment of taxes in monthly installments in Wake County.

Passes its second and third readings and is ordered enrolled.

H. B. 707, a bill to amend section 3401, Consolidated Statutes of North Carolina and section 3411 (x), Volume III of the Consolidated Statutes of North Carolina, relating to awards for seizure of stills so as to exempt Moore County from the provisions of said sections, applies also to Lenoir County.

Passes its second and third readings and is ordered enrolled.

H. B. 709, a bill providing for an official court reporter for the Superior Court of Buncombe County.

Passes its second and third readings and is ordered enrolled.

H. B. 809, a bill to reduce the membership of the board of commissioners of Brunswick County.

Passes its second and third readings and is ordered enrolled.

H. B. 826, a bill to repeal section 17 of chapter 142 of Public-Local Laws, 1927, the same being "An act regulating justices of the peace in Buncombe County."

Passes its second and third readings and is ordered enrolled.

H. B. 743, a bill relating to the salaries of the officers of Vance County.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate substitute.

S. B. 420, a bill to repeal chapter 301, Public-Local Laws of 1927, relative to slot machines in Bladen County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 431, a bill to amend chapter 462 of the Public-Local Laws of 1915, relative to domestic fowls running at large in stock law territory in Pitt County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 455, a bill to amend chapter 114 of the Private Laws of 1929, relative to regulating opening of gasoline stations and lunch stands in Stanly County on Sunday.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 937, a bill to amend chapter 428 of Public Laws of 1931 abolishing penalties on payment of taxes in Pamlico County.

Passes its second and third readings and is ordered enrolled.

H. B. 991, a bill to validate certain sales of land for street assessments in the town of Leaksville and certificates issued in pursuance thereof.

Passes its second and third readings and is ordered enrolled.

H. B. 1007, a bill extending the licensing power of the governing board of the city of Lenoir.

Passes its second and third readings and is ordered enrolled.

H. B. 1015, a bill to amend section 473 of the Consolidated Statutes in regard to additional jurors from other counties instead of removal, not applicable to Ashe and Durham Counties.

Passes its second and third readings and is ordered enrolled.

H. B. 1077, a bill relating to special assessments levied by the city of Greensboro.

Passes its second and third readings and is ordered enrolled.

H. B. 1099, a bill authorizing the county commissioners of Graham County, North Carolina, to pay a reward for evidence to convict any person who violates the provisions or any provision of sections 4309, 4311 or 4312 of Consolidated Statutes of North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 1061, a bill to repeal chapter 15 of Private Laws of 1927, and chapter 75 of Private Laws of 1929, relating to the office of chief of police of Marshall, Madison County.

Passes its second and third readings and is ordered enrolled.

H. B. 1104, a bill to amend an act, entitled "An act to grant a new charter for the town of Pinebluff, Moore County, North Carolina."

Passes its second and third readings and is ordered enrolled.

H. B. 1134, a bill authorizing and empowering the commissioners of Gaston County in their discretion to defer for three years the foreclosure under deeds of trust and mortgages held in the sinking fund of said county and to authorize and empower said commissioners to sell real estate now or hereafter held by them for the sinking fund of said county upon such terms as, in their discretion they think proper but in no case for a period longer than five years.

Passes its second and third readings and is ordered enrolled.

H. B. 1139, a bill to amend chapter 71 of Private Acts of North Carolina, Session 1872-73, relating to the charter of Mooresville in Iredell County.

Passes its second and third readings and is ordered enrolled.

H. B. 1155, a bill relating to rate of interest on unpaid taxes in Hyde County for the year 1932 and thereafter.

Passes its second and third readings and is ordered enrolled.

H. B. 1156, a bill to allow the commissioners of Transylvania County to accept county bonds in payment of certain taxes.

Passes its second and third readings and is ordered enrolled.

S. B. 484, a bill to authorize the issuance of funding bonds of the state, upon second reading.



The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clark, Corey, Cross, Dempsey, Ebird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Sparger, Summersill, Walker, Waynick—40.

S. B. 115, a bill to amend chapter 21 of the Consolidated Statutes, 1919, to make more effective the regulation of public utilities, for concurrence in the House amendment.

Upon motion of Senator Hill, the Senate fails to concur in the House amendment and asks for a conference thereon.

The President appoints as conferees on the part of the Senate, Senators Hill and Hartsell and a message is ordered sent to the House of Representatives, informing that Body of such action.

S. B. 234, a bill to amend Consolidated Statutes with reference to restoration to citizenship, for concurrence in the House amendment.

Upon motion of Senator MacLean, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 320, a bill to call a convention of the people of North Carolina for the purpose of considering the proposed amendment to the Constitution of the United States, relating to the Eighteenth Amendment.

Upon motion of Senator MacLean, action on the bill is deferred until the House has considered a similar bill.

S. B. 473, a bill to authorize and empower the boards of county commissioners of the several counties in the State of North Carolina to pay the actual expenses of their Senators and Representatives in the General Assembly.

Senator Boggan offers an amendment.

Senator Land offers an amendment.

Senator Hairfield moves that the bill with amendments be laid upon the Table.

The motion prevails.

S. B. 482, a bill to pay Willard R. Cox for State bond stolen from him, provided indemnity is furnished to secure the State of North Carolina against loss.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 660, a bill to require the fees for which a county is liable under article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 802, a bill to amend chapter 448 of the Public Laws of 1931, relating to cartways, so as to include neighborhood public roads, upon third reading.

Upon motion of Senator Bell, the bill is laid upon the Table.

H. B. 920, a bill to amend section 220 (b) Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities of affiliated or subsidiary corporations.

Senator Hill offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1026, a bill to amend section 4201 of the Consolidated Statutes prescribing punishment for manslaughter.

Passes its second and third readings and is ordered enrolled.

H. B. 1078, a bill amending the act providing for the extension of special assessments.

Passes its second and third readings and is ordered enrolled.

H. B. 1031, a bill to amend chapters 84 and 424 Public Laws, 1931, and section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Avery, Watauga, Mitchell and Alexander Counties.

Passes its second and third readings and is ordered enrolled.

H. B. 1052, a bill to clarify and make certain the provisions of regulation 119 of the Department of Conservation and Development and to prevent the use of haul or drag nets in the waters of New River in Onslow County.

Passes its second and third readings and is ordered enrolled.

H. B. 1081, a bill to amend section 1526 of Consolidated Statutes, relating to liability of sureties on bonds to stay execution.

Passes its second and third readings and is ordered enrolled.

H. R. 1182, a resolution to provide for the printing of the Revenue Bill submitted to the General Assembly by the Finance Committee.

Passes its second and third readings and is ordered enrolled.

H. B. 1106, a bill to amend section 2751 of the Consolidated Statutes of North Carolina, giving the State Insurance Department discretionary powers with respect to parapet walls.

Passes its second and third readings and is ordered enrolled.

H. B. 1235, a bill to amend chapter 176, Public-Local Laws of 1911, relating to the recorder's court of Nash County.

Passes its second and third readings and is ordered enrolled.

The President appoints as additional Conferees to consider the differences arising upon S. B. 327, a bill to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction, Senator Dempsey, and a messenger is ordered sent to the House of Representatives informing that Body of such action.

#### CONFERENCE REPORT

Senator Clark, for the Conferees appointed to consider the differences arising upon S. B. 327, a bill to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction, submits the following report:

#### *To the Senate and House of Representatives:*

We, the undersigned, appointed as conferees on the part of the Senate and House of Representatives to consider and adjust the differences arising on Senate Bill 327, recommend the following:



First. That the House recede from its amendment adopted March 31, and offered by Representative Binford of Rockingham County.

Respectfully submitted,

W. G. CLARK,

J. C. DEMPSEY,

*Conferees on the part of the Senate.*

W. W. EAGLES,

H. N. BINFORD,

JACK EDWARDS,

*Conferees on the part of the House.*

Upon motion of Senator Clark, the report of the Conferees is adopted and a message is ordered sent to the House of Representatives informing that Body of such action.

Senator Land for the Conferees appointed to consider the differences arising upon H. B. 15, a bill to repeal chapter 129, Public Laws, 1921, being "An act regulating the issuance of license to marry and providing for the physical examination of applicants, submits the following report:

*To the President of the Senate and the Speaker of the House of Representatives:*

We, the undersigned Conference Committee having been appointed on the substitute for House Bill Number 15, being "An act to repeal chapter 129 of the Public Laws of 1921, being an Act regulating the issuance of license to marry, and providing for a physical examination of the applicants." We recommend that the House recede from the passage of sections 1 and 2 of the said Act, and that the Senate recede from the passage of the substitute therefor, and that the following be adopted in lieu of sections 1 and 2 of the original bill.

Section 1. That the register of deeds of the several counties of the State shall require, before issuing a marriage license, that the groom shall file with him an affidavit setting forth that he does not have active tuberculosis or any venereal disease, and has not had either of said diseases for a period of two years prior thereto. The affidavit must be signed by the maker and sworn to before the register of deeds or any other person authorized to administer oaths; provided, however, that when the affidavit is made before the register of deeds, he shall not make any charge therefor.

The applicant, in lieu of making affidavit as herein set out, may file a certificate of health as provided by law before a passage of this act.

Section 2. That upon the applicant complying with either of the provisions of the foregoing section the register of deeds may issue a license to marry, provided the contracting parties are otherwise qualified to marry according to law, provided further, that the bride shall not be required to stand physical examination.

Respectfully submitted,

S. GILMER SPARGER,

E. M. LAND

A. D. MACLEAN,

ROBERT T. WILSON,

J. M. LEE,

R. JENNINGS WHITE,

*Conferees on the part of the Senate. Conferees on the part of the House.*

Upon motion of Senator Land the report of the Conferees is adopted.

The Conference Report, containing matters of legislation not contained in the bill as passed on its several readings by the Senate, passes its second and third readings and a message is ordered sent to the House of Representatives informing that Body of such action.

Upon motion of Senator MacLean, the Conference Report on the Appropriation Bill is made a special order for Tuesday, April 11, 1933.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 10:00 o'clock, at which time only Public-Local bills are to be considered.

## EIGHTY-SECOND DAY

SENATE CHAMBER.

SATURDAY, April 8, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Dr. A. B. Hunter of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to N. A. Townsend, former member of the House of Representatives.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 460, a bill to amend chapter 122, Public Laws 1927, article F, relating to transfer of title and license to motor vehicles as upon inheritance, devise or bequest, with a favorable report.

S. B. 463, a bill to amend sections 58 and 60 of chapter 148 of the Public Laws of 1927, relating to traffic violations, with a favorable report.

S. B. 513, a bill to amend chapter 129 of the Consolidated Statutes of North Carolina and acts amendatory thereof in relation to the distribution of State laws, journals, documents, reports and publications to the library of the University of North Carolina, with a favorable report.

H. B. 661, a bill to eliminate certain conflicts in the motor vehicle laws and to place certain violations of the motor vehicle laws within the jurisdiction of a justice of the peace by amending chapter 148 of the Public Laws of 1927, chapter 235 of the Public Laws of 1931, and repealing chapters 120 and 330 of the Public Laws of 1927, with an unfavorable report.

H. B. 953, a bill to amend the charter of the New Bern Graded Schools, and to provide for the appointment of the board of trustees of the New Bern Graded Schools, with a favorable report.



H. B. 916, a bill to amend chapter 40-A, section 2202, sub-section 10 and section 2202 sub-section 13 of the Consolidated Statutes of North Carolina, relating to investment of funds by guardians, with an unfavorable report.

S. B. 490, a bill to create a building code council for North Carolina, with a favorable report as amended.

S. B. 514, a bill to provide civil service for the fire department of the city of Raleigh, North Carolina, with a favorable report as amended.

H. B. 976, a bill to amend chapter 391 of the Public-Local Laws of 1927, relating to the salary of the assistant clerk of the Superior Court of Wake County, with a favorable report.

H. B. 822, a bill to regulate and fix the salaries of the elective officials of the city of Raleigh, the city attorney and the prosecuting attorney, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Francis, by request: S. B. 524, a bill to amend Senate Bill 385 of the General Assembly of North Carolina of the year 1933, relating to the police court in the town of Canton, Haywood County.

Upon motion of Senator Francis, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Francis: S. B. 525, a bill to control and regulate the sale of certain beverages, herein defined, and to legalize the manufacture of beverages containing not more than 3.2 per cent of alcohol by weight; to provide penalties for the violation of the provisions herein contained; and to permit purchases of beverages as herein set out.

Referred to Committee on Judiciary No. 1.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 919, a bill to amend section 220 (a), Consolidated Statutes of North Carolina, Volume III, 1919, as amended, to limit the powers of banking corporations.

Referred to Committee on Banks and Banking.

H. B. 1124, a bill to repeal chapter 83 of the Public-Local Laws of 1929, relating to the nomination and election of county commissioners in Columbus County.

Referred to Committee on Counties, Cities and Towns.

H. B. 1154, a bill to provide for the reorganization of banks in North Carolina.

Referred to Committee on Banks and Banking.

H. B. 1159, a bill relating to building inspection fees in Lenoir County.

Referred to Committee on Judiciary No. 1.

H. B. 1162, a bill to authorize the issuance of scrip by Beaufort County.

Referred to Committee on Finance.

H. B. 1163, a bill relating to the payment of assessments for street improvements in the town of Williamston.

Referred to Committee on Finance.

H. B. 1196, a bill to fix the term of office of the mayor and commissioners of the city of Saluda and to fix the mayor's salary.

Referred to Committee on Counties, Cities and Towns

H. B. 1197, a bill supplemental to H. B. 787, ratified March 15, 1933, the same being "An act to repeal chapter 147 of the Public-Local Laws of 1931 and establishing the office of tax collector and re-defining the duties of the sheriff of Polk County and fixing his salary."

Referred to Committee on Finance.

H. B. 1207, a bill to define the boundaries of Morehead City Harbor, to provide for the appointment of a harbor master and pilots and to regulate pilotage fees.

Referred to Committee on Counties, Cities and Towns.

H. B. 1220, a bill to amend the Machinery Act of the General Assembly of North Carolina, Session 1933, ratified April 3, 1933.

Referred to Committee on Finance.

H. B. 1221, a bill to extend the period for commencement of actions on certain evidences of indebtedness of Carteret County.

Referred to Committee on Judiciary No. 1.

H. B. 1222, a bill to amend chapter 282, Public-Local Laws, Session 1919, relating to foxes in Granville County.

Referred to Committee on Game Laws.

H. B. 1226, a bill to amend H. B. 997, being "An act to appoint a board of revaluation and review in Yancey County."

Referred to Committee on Finance.

H. B. 1231, a bill to allow fishing in the streams of Yadkin County with trot lines, baskets and seines.

Referred to Committee on Fish and Fisheries.

HOUSE OF REPRESENTATIVES,  
April 7, 1933.

*Mr. Speaker:*

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on House Bill No. 15, entitled "An act to repeal chapter 129, Public Laws 1921, it being an act to regulate the issuance of license to marry, and providing for the physical examination of applicants," to the end that when a similar report is adopted by your Body, the bill will be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:



S. B. 379, a bill relating to the board of county commissioners of Buncombe County fixing their duties.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 519, a bill amending S. B. 180, the same being a bill entitled, "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates by leaving the operation of said law, in so far as Wake County is concerned in the discretion of the commissioners of said county."

Senator Hinsdale offers an amendment which is adopted.

Passes its second and third readings and is ordered engrossed.

H. B. 782, a bill reducing the salaries of certain officers of Wake County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 627, a bill to amend chapter 186, Private Laws, 1931, being "An act to amend Senate Bill No. 395, being the charter of the city of Asheville, pertaining to the reduction of salaries of councilmen and other employees."

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate amendment.

H. B. 625, a bill to amend chapter 121, Private Laws 1931, the same being "An act to incorporate the city of Asheville, to define its corporate limits, to provide for its government and for other purposes by amending article 4, section 31, in so far as the same applies to the solicitor of the police court in so far as the same attempts to define his duties."

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1102, a bill to regulate the sale of milk bottles and containers in Mecklenburg County.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Bell, the Senate adjourns to meet Monday night at 8:00 o'clock.

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### EIGHTY-THIRD DAY

SENATE CHAMBER,

MONDAY, April 10, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. R. Farris, Hillyer Memorial Christian Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his

motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Honorable J. R. McCrary, former member of the House, and Ex-Senator Pritchard.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Fuller, for the Committee on Game Laws:

S. B. 494, a bill to repeal chapter 181, Public-Local Laws, extra session, 1920, relating to hunting squirrels, foxes, opossums and coons in Wilson County and to provide an open season for foxes, with a favorable report.

S. B. 291, a bill to amend chapter 333, Public Laws of 1929, relating to non-resident fur dealers license, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 489, a bill relating to the hunting of foxes in Montgomery County, with a favorable report.

H. B. 1132, a bill to repeal chapter 407, Public-Local Laws of 1911, relating to hunting foxes in Duplin County, with a favorable report.

By Senator Long, for the Committee on Public Health:

H. B. 1087, a bill to amend section 6649 of the Consolidated Statutes of North Carolina, session of 1919, relating to the practice of dentistry, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Burgin: S. B. 526, a bill to amend finance committee substitute bill for S. B. 10, the same being "An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities, ratified the third day of April, 1933."

Referred to Committee on Finance.

By Senator Bell: S. B. 527, a bill to amend section 867 of the Consolidated Statutes of 1919, relating to the writ of mandamus and its issuance in cases of counties, cities and other political sub-divisions.

Referred to Committee on Judiciary No. 1.

By Senator Boggan: S. B. 528, a bill to extend the time for attachment of penalties for the non-payment of taxes for the year 1932 in Anson County, and to permit the board of commissioners of Anson County to advertise delinquent taxpayers.

Placed upon the Calendar.

By Senator Hairfield: S. B. 529, a bill to amend section 6196 of the Consolidated Statutes, relating to questions to be answered and certified to superintendents of State Hospitals for the insane.

Placed upon the Calendar.



By Senator Cross: S. B. 530, a bill to provide for the election of school committeemen in the Greenwood Consolidated School District, Lee County.

Placed upon the Calendar.

By Senator Fuller: S. B. 531, a bill to amend chapter 151, Private Laws of North Carolina, and the sections contained therein, relating to the method of electing trustees of the Lumber Bridge Graded School District.

Referred to Committee on Education.

By Senator Fuller: S. B. 532, a bill to amend chapter 51, Private Laws, Extra Session 1913, and to authorize and empower the board of commissioners of the town of Rowland to extend the time of payment of street and sidewalk assessments.

Referred to Committee on Finance.

By Senator Patton: S. B. 533, a bill to repeal S. B. 335, entitled "An act for the relief of the Bank of Franklin and its depositors," ratified by the General Assembly, March 8, 1933, and S. B. 462, ratified by the General Assembly, March 30, 1933, entitled "An act supplemental to S. B. 335, the same being a bill to be entitled, "An act for the relief of the Bank of Franklin and its depositors," ratified on the 8th day of March, 1933.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by special messenger.

By Senator Long: S. B. 534, a bill to require municipal elections in the town of Roanoke Rapids, Halifax County, North Carolina, to be held under the provisions of the General Election Law, providing for a secret ballot and to prescribe the method of becoming a candidate for a municipal office in said town.

Upon motion of Senator Long, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Waynick: S. B. 535, a bill to provide for the issuance of revenue anticipation notes of the county of Guilford and for the execution of said notes by facsimile signatures of the officers of said county.

Placed upon the Calendar.

By Senator Land: S. B. 536, a bill to empower the board of aldermen of the city of Statesville and the board of commissioners of Iredell County to confer upon the recorder's court of Iredell County the jurisdiction of the mayor's court of the city of Statesville.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting bills and resolutions, which are read the first time and disposed of as follows:

H. B. 134, a bill to amend section 1 of chapter 471 of the Public-Local Laws of 1931, relating to fees paid ex-officio game wardens in Buncombe County, applicable also to Madison County.

Referred to Committee on Game Laws.

H. B. 1176, a bill to authorize the board of commissioners of Watauga County, in their discretion to abolish the recorder's court of said county.

Referred to Committee on Courts and Judicial Districts.

H. B. 1215, a bill governing the nomination and election of county commissioners of Pamlico County.

Referred to Committee on Counties, Cities and Towns.

H. B. 1177, a bill to empower fiduciaries to sign depositors' agreement in connection with the reopening of certain banks formerly doing business in North Carolina.

Referred to Committee on Banks and Banking.

HOUSE OF REPRESENTATIVES,

April 7, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate, informing your Honorable Body that the House has failed to concur in Senate amendments to House Bill No. 881, title "to repeal any and all statutes, laws and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes," and asks for a conference. The Speaker has appointed as Conferees on the part of the House, Messrs. Barden, Taylor of Currituck and Groves.

Respectfully,

THAD EURE,

*Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators MacLean and Moore and a message is ordered sent to the House of Representatives, informing that Body of such action.

HOUSE OF REPRESENTATIVES,

April 10, 1933.

*Mr. Speaker:*

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in Senate amendments to House Bill No. 627, title "to amend chapter 186, Private Laws 1931, being An act to amend Senate Bill No. 395, being the charter of the city of Asheville, pertaining to the reduction of salaries of councilmen and other employees," and asks for a conference. The Speaker has appointed as Conferees on the part of the House, Messrs. Sullivan, Martin and Turner of Guilford.

Respectfully,

THAD EURE,

*Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators Blackstock and Burgin and a message is ordered sent to the House of Representatives, informing that Body of such action.



HOUSE OF REPRESENTATIVES,  
April 10, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in Senate Amendments to House Bill No. 625, title "to amend chapter 121, Private Laws of 1931, the same being An act to incorporate the city of Asheville, to define its corporate limits; to provide for its government, and for other purposes, by amending article 4, section 31, in so far as the same applies to the solicitor of the police court, in so far as the same attempts to define his duties," and asks for conference. The Speaker appoints as Conferees on the part of the House, Messrs. Sullivan, Martin and Turner of Guilford.

Respectfully,

THAD EURE,

*Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators Blackstock and Burgin and a message is ordered sent to the House of Representatives, informing that Body of such action.

HOUSE OF REPRESENTATIVES,  
April 10, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees appointed to adjust the differences arising on Senate Bill No. 382, title "to amend chapter 60 of the Public Laws of 1931, as amended; to amend chapter 418, Public Laws, 1931, relating to provisions in funding and refunding bonds," in order that your Body may order the bill enrolled.

Respectfully,

THAD EURE,

*Clerk of the House.*

The bill is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
April 10, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees appointed to adjust the differences arising on Senate Bill No. 381, title, "To provide for funding and refunding debts of local units of government other than cities and towns," in order that your Body may order the bill enrolled.

Respectfully,

THAD EURE,

*Clerk of the House.*

The bill is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
April 10, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferencees appointed to adjust the differences arising on Senate Bill No. 383, title, "To allow counties, municipalities and other governing units to fund and refund their obligations; to amend the Local Government Act, being chapter 60 of the Public Laws of 1931; to amend the Municipal Finance Act, as amended, being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the County Finance Act, as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931," to the end that your Body may order the bill enrolled.

Respectfully,

THAD EURE,  
*Clerk of the House.*

The bill is ordered enrolled

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 234, an act to amend Consolidated Statutes with reference to restoration of citizenship.

S. B. 275, an act more clearly to define the duties of the Commissioner of Labor.

S. B. 485, an act supplemental to S. B. 175, the same being, "A bill to be entitled an act to create the offices of treasurer-tax collector of Mecklenburg County, and collector of revenue for the city of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers, ratified on the 3rd day of April, 1933."

S. B. 498, an act to amend section 5 of chapter 314 of the Private Laws of North Carolina, 1909, relating to the election of the mayor of the town of Tarboro, Edgecombe County.

H. B. 87, an act to provide for the payment of taxes in monthly installments in Wake County.

H. B. 660, an act to require the fees for which a county is liable under article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes.

H. B. 707, an act to amend section 3401, Consolidated Statutes of North Carolina and section 3411 (x), Volume III of the Consolidated Statutes of North Carolina, relating to awards for seizure of stills so as to exempt Moore County from the provisions of said sections, applies also to Lenoir County.

H. B. 709, an act providing for an official court reporter for the Superior Court of Buncombe County.

H. B. 809, an act to reduce the membership of the board of commissioners of Brunswick County.



H. B. 826, an act to repeal section 17 of chapter 142 of Public-Local Laws 1927, the same being "An act regulating justices of the peace in Buncombe County."

H. B. 937, an act to amend chapter 428, Public Laws of 1931, abolishing penalties in payment of taxes in Pamlico County.

H. B. 991, an act to validate certain sales of land for street assessments in the town of Leaksville, and certificates issued in pursuance thereof.

H. B. 1007, an act extending the licensing power of the governing board of the city of Lenoir.

H. B. 1015, an act to amend section 473 of the Consolidated Statutes in regard to additional jurors from other counties instead of removal, not applicable to Ashe County and Durham County.

H. B. 1026, an act to amend section 4201 of the Consolidated Statutes prescribing punishment for manslaughter.

H. B. 1031, an act to amend chapters 84 and 424, Public Laws 1931, and section 1443 of Volume III of the Consolidated Statutes, relating to terms of court for Avery, Watauga, Mitchell and Alexander counties.

H. B. 1052, an act to amend section 1526 of Consolidated Statutes, relating to liability of sureties on bonds to stay execution.

H. B. 1061, an act to repeal chapter 15 of Private Laws of 1927, and chapter 75 of Private Laws of 1929, relating to the office of chief of police of the town of Marshall, Madison County.

H. B. 1077, an act relating to special assessments levied by the city of Greensboro.

H. B. 1078, an act amending the act providing for the extension of special assessments.

H. B. 1081, an act to clarify and make certain the provisions of regulation 119 of the Department of Conservation and Development and to prevent the use of haul or drag nets in the waters of New River in Onslow County.

H. B. 1099, an act authorizing the county commissioners of Graham County, North Carolina, to pay a reward for evidence to convict any person who violates the provisions or any provision of sections 4309, 4311 or 4312 of Consolidated Statutes of North Carolina.

H. B. 1104, an act to grant a new charter for the town of Pinebluff, Moore County, North Carolina.

H. B. 1106, an act to amend section 2751 of the Consolidated Statutes of North Carolina, giving the State Insurance Department discretionary powers with respect to parapet walls.

H. B. 1134, an act authorizing and empowering the commissioners of Gaston County, in their discretion, to defer for three years the foreclosure under deeds of trust and mortgages held in the sinking fund of said county, and to authorize and empower said commissioners to sell real estate now or hereafter held by them for the sinking fund of said county upon such terms, as in their discretion they think proper, but in no case for a period longer than five years.

H. B. 1139, an act to amend chapter 71 of Private Acts of North Carolina, session 1872-73, relating to the charter of Mooresville, in Iredell County.

H. B. 1156, an act to allow the commissioners of Transylvania County to accept county bonds in payment of certain taxes.

H. R. 1182, a joint resolution to provide for the printing of the Revenue Bill submitted to the General Assembly by the Finance Committees.

H. B. 1183, an act to provide for, approve and validate tax listing during the month of April, 1933.

H. B. 1217, an act to amend the fishing laws as to Cherokee County.

H. B. 1235, an act to amend chapter 176, Public-Local Laws of 1911, relating to the recorder's court of Nash County.

H. B. 1102, an act to regulate the sale of milk bottles and containers in Mecklenburg County.

H. B. 15, an act to repeal chapter 129 of the Public Laws of 1921, being "An act regulating the issuance of license to marry and providing for the physical examination of applicants."

S. B. 439, an act to divide the board of county commissioners of Johnston County into two classes.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 453, a bill to provide for the manner of the payment of certain streets, sidewalk and sewer assessment liens in the city of Goldsboro, upon third reading.

The bill passes third reading, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Boggan, Burgin, Clement, Corey, Cross, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Hill, Hinsdale, Joyner, Land, Long, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Waynick—33.

The bill is ordered sent to the House of Representatives.

S. B. 493, a bill for the relief of the taxpayers of Gaston, Jackson, Occoneechee and Rich Square townships of Northampton County, upon third reading.

The bill passes third reading, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Boggan, Burgin, Clement, Corey, Cross, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Hill, Hinsdale, Joyner, Land, Long, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Waynick—33.

The bill is ordered sent to the House of Representatives.

S. B. 504, a bill relating to the extension of time for payment of special assessments levied by the city of Thomasville, upon third reading.

The bill passes third reading, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Boggan, Burgin, Clement, Corey, Cross, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Hill, Hinsdale, Joyner, Land, Long, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Waynick—33.

The bill is ordered sent to the House of Representatives.

S. B. 518, a bill to authorize the issuance of scrip by Lee County, upon second reading.



The bill passes second reading, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Boggan, Burgin, Clement, Corey, Cross, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Hill, Hinsdale, Joyner, Land, Long, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Waynick—33.

H. B. 334, a bill to authorize the towns of Waynesville and Hazelwood to establish, construct and maintain a joint sewer disposal system, upon third reading.

The bill passes third reading, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Boggan, Burgin, Clement, Corey, Cross, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Hill, Hinsdale, Joyner, Land, Long, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Waynick—33.

The bill is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 484, a bill to authorize the issuance of funding bonds of the State, upon third reading.

The bill passes third reading, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackstock, Bland, Boggan, Brown, Burgin, Clement, Corey, Cross, Dunagan, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Hill, Hinsdale, Joyner, Land, Long, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Summersill, Waynick—34.

H. B. 322, a bill to regulate seining in Caswell County.

Passes its second and third readings and is ordered enrolled.

H. B. 896, a bill to provide for jury trials in the General County Court of Bertie County and for regulating appeals in criminal causes from said court, and providing for waiver of jurisdiction by defendants in criminal causes and offenses less than capital.

Passes its second and third readings and is ordered enrolled.

H. B. 953, a bill to amend the charter of the New Bern Graded Schools, and to provide for the appointment of the board of trustees of the New Bern Graded Schools.

Passes its second and third readings and is ordered enrolled.

H. B. 972, a bill to provide for a Calendar in the criminal courts of Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 976, a bill to amend chapter 391 of the Public-Local Laws of 1927, relating to the salary of the assistant clerk of the Superior Court of Wake County.

Passes its second and third readings and is ordered enrolled.

H. B. 1039, a bill for the protection of Mount Pleasant Church and Samaria Church, in Ferrells Township, Nash County, and Macedonia Church in Coopers Township, Nash County.

Passes its second and third readings and is ordered enrolled.

H. B. 1055, a bill to prevent the killing, selling and shipping calves for veal in Macon County.

Passes its second and third readings and is ordered enrolled.

H. B. 1060, a bill to amend chapter 115, Private Laws of 1899, relating to the charter of the town of Greenville.

Passes its second and third readings and is ordered enrolled.

H. B. 1066, a bill to allow fishing in the Tennessee River and certain tributaries thereof in Macon County.

Passes its second and third readings and is ordered enrolled.

H. B. 1125, a bill to regulate fishing in the various swamps, marshes and creeks in Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 317, a bill to prohibit seining and trapping fish in the Dan, Mayo and Smith rivers in Rockingham and Stokes counties.

Passes its second and third readings and is ordered enrolled.

H. B. 1132, a bill to repeal chapter 407, Public-Local Laws of 1911, relating to hunting foxes in Duplin County.

Passes its second and third readings and is ordered enrolled.

H. B. 135, a bill to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein.

Passes its second and third readings and is ordered enrolled.

H. B. 289, a bill to amend chapter 450, Public-Local Laws, regular session of General Assembly 1931, relating to fishing in Tennessee River.

Passes its second and third readings and is ordered enrolled.

S. B. 441, a bill to amend section 1443 of the Consolidated Statutes, relating to courts of Wayne County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 460, a bill to amend chapter 122, Public Laws 1927, article 3, section 15, sub-section F, relating to transfer of title and license to motor vehicles as upon inheritance, devise or bequest.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. R. 461, a joint resolution providing for the acceptance of a memorial to Governor Burke and to provide for the transportation and erection of the same.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 506, a bill to amend section 1864 (a), Consolidated Statutes of North Carolina, so as to exempt certain portions of land in Onslow County from the provisions of the stock law.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 507, a bill to amend section 1908, Consolidated Statutes of North Carolina, pertaining to the leasing of oyster and clam bottoms.

Passes its second and third readings and is ordered sent to the House of Representatives.



S. B. 510, a bill to amend section 1443 of the Consolidated Statutes, relating to terms of court of Catawba County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 512, a bill to amend chapter 120, Public Laws of 1929, the same being known as the Workmen's Compensation Act.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 513, a bill to amend chapter 129 of the Consolidated Statutes of North Carolina and acts amendatory thereof in relation to the distribution of State laws, journals, documents, reports and publications to the Library of the University of North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 514, a bill to provide civil service for the fire department of the city of Raleigh, North Carolina.

Upon motion of Senator Hinsdale, the bill is re-referred to the Committee on Judiciary No. 1.

H. B. 1045, a bill to make the possession of machine guns and other like weapons unlawful.

Senator Corey offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the State amendment.

H. B. 969, a bill relating to the purchase and sale of milk bottles.

Upon motion of Senator Burgin, the bill is re-referred to the Committee on Agriculture.

H. B. 975, a bill to prohibit the wrongful use of milk bottles, crates, cans and other containers of dairy products.

Upon motion of Senator Burgin the bill is re-referred to the Committee on Agriculture.

H. B. 1170, a bill to amend section 10 and section 13 of chapter 33, Public Laws of 1929.

Passes its second and third readings and is ordered enrolled.

H. B. 1091, a bill to limit the time in which actions may be maintained to recover deficiency judgments after the foreclosure of mortgages and deeds of trust on real estate.

Senator Waynick offers an amendment.

Upon motion of Senator Bailey, the bill is re-referred to the Committee on Judiciary No. 2.

Senator Bagley moves that H. B. 475, a bill to prohibit State Institutions from engaging in the retail business, be taken from the Table.

The motion fails to prevail.

Upon motion of Senator Hill, H. B. 1154, a bill to provide for the organization of banks in North Carolina, is taken from the Committee on Banks and Banking and placed upon the Calendar.

Upon motion of Senator Bagley, H. B. 1234, a bill to amend section 2776 (s) of chapter 56 of the Consolidated Statutes of North Carolina, Volume III,

1924, relating to the regulation and restriction of the uses of buildings and lots in Pasquotank County, is taken from the Committee on Judiciary No. 2, and placed upon the Calendar.

Upon motion of Senator Corey, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

### EIGHTY-FOURTH DAY

SENATE CHAMBER,

TUESDAY, April 11, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Senator W. K. Boggan.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senator Jackson Greer.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Burgin, for the Committee on Conservation and Development:

H. B. 1002, a bill to coördinate the activities of State Departments in maintenance of the sanitary quality and economic utility of North Carolina water courses, with a favorable report.

Upon motion of Senator Patton, the bill is re-referred to the Committee on Conservation and Development.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator McDuffee: S. B. 537, a bill relating to the revaluation of property in Vance County.

Referred to Committee on Finance.

By Senator Cross: S. B. 538, a bill to amend chapter 261, Public Laws of 1927, relating to weights and measures.

Referred to Committee on Finance.

By Senator Joyner, by request: S. B. 539, a bill to prohibit the taking of mink, muskrat, raccoon, opossum and otter in Northampton County for a period of two years.

Referred to Committee on Game Laws.

By Senator Hartsell: S. B. 540, a bill relating to the extension of time for payment of special assessments levied by the city of Concord.

Referred to Committee on Finance.



By Senator Ingram: S. B. 541, a bill to provide for the insuring of school properties in North Carolina.

Referred to Committee on Education.

By Senator Ingram: S. B. 542, a bill to transfer the office of superintendent of weights and measures to the department to be known as the office of utilities commissioner and to otherwise amend chapter 261 Public Laws of 1927.

Referred to Committee on Finance.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1191, a bill to authorize, empower and direct the board of commissioners of Madison County to levy a special tax for the payment of certain indebtedness due to Yancey County.

Referred to Committee on Finance.

H. B. 1245, a bill to amend House Bill 671 of the General Assembly of 1933, entitled, "An act to amend section 1, chapter 2, of the Private Laws of 1931, relating to the election of cotton weigher of Marshville, North Carolina.

Referred to Committee on Counties, Cities and Towns.

H. B. 1247, a bill to amend Senate Bill Number 180, ratified by the General Assembly of 1933, on March 27, 1933, entitled, "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates."

Referred to Committee on Finance.

#### ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent in the office of the Secretary of State:

S. B. 381, an act to provide for funding and refunding of debts of local units of government other than counties, cities and towns.

S. B. 382, an act to amend chapter 60 of the Public Laws of 1931, as amended and to amend chapter 418 of the Public Laws of 1931, relating to provisions in funding and refunding bonds.

S. B. 383, an act to allow counties, municipalities and other governing units to fund and refund their obligations; to amend the local government act, being chapter 60 of the Public Laws of 1931; to amend the municipal finance act as amended, being sub-chapter 3 of chapter 56 of the Consolidated Statutes; to amend the county finance act as amended, being chapter 81 of the Public Laws of 1927, and to amend chapter 294 of the Public Laws of 1931.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 518, a bill to authorize the issuance of scrip by Lee County, upon third reading.

The bill passes third reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackstock, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Summersill—37.

The bill is ordered sent to the House of Representatives.

S. B. 528, a bill to extend the time for attachment of penalties for the non-payment of taxes for the year 1932 in Anson County and to permit the board of commissioners of Anson County to advertise delinquent taxpayers, upon second reading.

The bill passes second reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackstock, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Summersill—37.

S. B. 535, a bill to provide for the issuance of Revenue Anticipation notes of the county of Guilford and for the execution of said notes by facsimile signatures of the officers of said county, upon second reading.

The bill passes second reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackstock, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Summersill—37.

S. B. 489, a bill relating to the hunting of foxes in Montgomery County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 494, a bill to repeal chapter 181, Public-Local Laws, extra session 1920, relating to hunting squirrels, foxes, opossums and coons in Wilson County and to provide an open season for foxes.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 530, a bill to provide for the election of school committeemen in the Greenwood Consolidated School District, Lee County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 536, a bill to empower the board of aldermen of the city of Statesville and the board of commissioners of Iredell County to confer upon the recorder's court of Iredell County the jurisdiction of the mayor's court of the city of Statesville.

Passes its second and third readings and is ordered sent to the House of Representatives.



H. B. 379, a bill relative to the holding of elections in the county of Ashe.

Upon motion of Senator McNeill of Ashe, the bill is re-referred to the Committee on Election Laws.

H. B. 1075, a bill to amend chapter 76, Private Laws of 1931, relating to the running at large of stock in the village of Portsmouth, Carteret County, so as to exempt ponies and/or horses from the provisions of said act.

Passes its second and third readings and is ordered enrolled.

H. B. 1234, a bill to amend section 2776 (a) of chapter 56 of the Consolidated Statutes of North Carolina, Volume III (1924), relating to the regulation and restriction of the uses of buildings and lots in Pasquotank County.

Passes its second and third readings and is ordered enrolled.

#### SPECIAL ORDERS

The hour having arrived for the consideration of the special orders, the President lays before the Senate special order No. 1, it being the Conferees report on the Appropriations Bill.

Upon the adoption of the report, Senator McNeill of Ashe calls for the ayes and noes.

The call is sustained.

The following Senators explain their vote: Barker, Bell, Burgin and Hill. The Conference Report is adopted, ayes 34, noes 9, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Brown, Burgin, Clark, Clement, Corey, Dempsey, Dunagan, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, MacLean, McDuffee, Moore, Patton, Rankin, Summersill, Walker, Waynick—34.

Those voting in the negative are: Senators Boggan, Efird, Hairfield, Ingram, McBryde, McNeill of Ashe, McNeill of Cumberland, Noell, Sparger—9.

The following pair is announced: Senator Hanes, "aye," Senator Gwyn, "no."

A message is ordered sent to the House of Representatives informing that Body that the Senate has adopted the Conference report.

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months without the levy of any ad valorem tax therefor.

Upon motion of Senator MacLean, the bill is re-referred to the Committee on Education.

Upon motion of Senator Hinsdale, H. B. 782, a bill reducing the salaries of certain officers of Wake County, is recalled from the House of Representatives.

Upon motion of Senator Kirkpatrick, the Senate recesses to meet tonight at 8:30 o'clock.

## EVENING SESSION

SENATE CHAMBER,

TUESDAY, April 11, 1933.

The Senate meets pursuant to recess and is called to order by Lieutenant-Governor A. H. Graham.

The courtesies of the floor are extended to Dr. Frank Graham, President of the University of North Carolina.

Upon motion of Senator Noell, H. B. 1177, a bill to empower fiduciaries to sign depositors' agreements in connection with the reopening of certain banks formerly doing business in North Carolina, is taken from the Committee on Banks and Banking and placed upon the Calendar.

Senator Waynick moves that the special order be displaced and that H. B. 1154, a bill to provide for the reorganization of banks in North Carolina, be immediately considered.

The motion fails to prevail.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1264, a bill to fix the compensation of the board of commissioners of Harnett County and to require a publication of expenditures by said board.

Referred to Committee on Counties, Cities and Towns.

H. B. 1265, a bill to fix the compensation of the auditor for the county of Harnett, and to provide for an assistant auditor, and to fix the compensation of such assistant.

Referred to Committee on Counties, Cities and Towns.

H. B. 1266, a bill to fix the compensation of the county attorney for the county of Harnett.

Referred to Committee on Counties, Cities and Towns.

## ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 511, an act to amend section 23 of chapter 48, Public Laws of 1927, providing that the attorneys employed by the North Carolina Park Commission shall be approved by the Governor.

S. B. 524, an act to amend Senate Bill 385, of the General Assembly of North Carolina of the year 1933, relating to the police court in the town of Canton, Haywood County.

S. B. 533, an act to repeal Senate Bill 335, entitled "An act for the relief of the Bank of Franklin and its depositors," ratified by the General Assembly March 8, 1933, and Senate Bill 462, ratified by the General Assembly March 30, 1933, entitled "An act supplemental to Senate Bill 335, the same being 'A bill to be entitled an act for the relief of the Bank of Franklin and its depositors' ratified on the 8th day of March, 1933."



H. B. 135, an act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein.

H. B. 289, an act to amend chapter 450, Public-Local Laws, regular session of General Assembly 1931, relating to fishing in Tennessee River.

H. B. 317, an act to prohibit seining and trapping fish in the Dan, Mayo and Smith rivers in Rockingham and Stokes counties.

H. B. 322, an act to regulate seining in Caswell County.

H. B. 896, an act to provide for jury trials in the General county court of Bertie County, and for regulating appeals in criminal causes from said court: and providing for waiver of jurisdiction by defendants in criminal causes and offenses less than capital.

H. B. 953, an act to amend the charter of the New Bern Graded Schools, and to provide for the appointment of the board of trustees of the New Bern Graded Schools.

H. B. 972, an act to provide for a calendar in the criminal courts of Columbus County.

H. B. 976, an act to amend chapter 391 of the Public-Local Laws of 1927, relating to the salary of the assistant clerk of the Superior Court of Wake County.

H. B. 1039, an act for the protection of Mount Pleasant Church and Samaria Church, in Ferrells Township, Nash County, and Macedonia Church, in Coopers Township, Nash County.

H. B. 1066, an act to allow fishing in the Tennessee River and certain tributaries thereof in Macon County.

H. B. 1045, an act to make the possession of machine guns and other like weapons unlawful.

H. B. 1055, an act to prevent the killing, selling and shipping calves for veal in Macon County.

H. B. 1060, an act to amend chapter 115, Private Laws of 1899, relating to the charter of the town of Greenville.

H. B. 1075, an act to amend chapter 76, Private Laws of 1931, relating to the running at large of stock in the village of Portsmouth, Carteret County, so as to exempt ponies and/or horses from the provisions of said act.

H. B. 1125, an act to regulate fishing in the various swamps, marshes and creeks in Columbus County.

H. B. 1132, an act to repeal chapter 407, Public-Local Laws of 1911, relating to hunting foxes in Duplin County.

H. B. 1170, an act to amend section 10 and section 13 of chapter 33, Public Laws of 1929.

H. B. 1234, an act to amend section 2776 (s), of chapter 56 of the Consolidated Statutes of North Carolina, Volume III (1924), relating to the regulation and restriction of the uses of buildings and lots in Pasquotank County.

#### SPECIAL ORDER

The hour having arrived for the consideration of the special order of the day, the President lays before the Senate Special Order Number 2, it being S. B. 419, a bill to be entitled "An act to provide for the establishment of a

State supervised insurance fund; and for the purpose of providing insurance to employers subject to the Workmen's Compensation Act; and to provide for the administering of said fund, and to amend chapter 120 of the Public Laws of 1929."

The substitute offered by the Committee is adopted.

Senator Kirkpatrick offers an amendment.

Pending discussion, the bill remains upon the Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1177, a bill to empower fiduciaries to sign depositors' agreements in connection with the reopening of certain banks formerly doing business in North Carolina.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet to-morrow morning at 11:00 o'clock.

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### EIGHTY-FIFTH DAY

SENATE CHAMBER,

WEDNESDAY, April 12, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. S. N. Schleifer, Seventh Day Adventist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Blue, for the Committee on Agriculture:

H. B. 975, a bill to prohibit the wrongful use of milk bottles, crates, cans and other containers of dairy products, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

H. B. 969, a bill relating to the purchase and sale of milk bottles, with an unfavorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 1168, a bill to authorize and empower the city of Asheville to donate water to the Young Women's Christian Association and Young Men's Christian Association, of said city, with an unfavorable report.



H. B. 1196, a bill to fix the term of office of the mayor and commissioners of the city of Saluda and to fix the mayor's salary, with a favorable report.

H. B. 1215, a bill governing the nomination and election of county commissioners of Pamlico County, with a favorable report.

H. B. 1245, a bill to amend House Bill 671 of the General Assembly of 1933, entitled "An act to amend section 1, chapter 2 of the Private Laws of 1931, relating to the election of cotton weigher of Marshville, North Carolina," with a favorable report.

By Senator MacLean, for the Committee on Education:

S. B. 483, a bill to authorize the trustees of the University to construct and finance an athletic stadium for North Carolina State College out of funds other than general revenue of the State, with a favorable report.

Upon motion of Senator MacLean, the bill is re-referred to the Committee on Finance.

S. B. 531, a bill to amend chapter 151, Private Laws of North Carolina and the sections contained therein relating to the method of electing trustees of the Lumber Bridge Graded School District, with a favorable report.

H. B. 465, a bill to appoint a member of the board of education of Jones County to fill vacancy caused by resignation of George Hughes to become clerk of the Superior Court, with a favorable report.

H. B. 833, a bill to appoint trustees for Andrews School District in Cherokee County, with a favorable report.

H. B. 1219, a bill to create and appoint a board of trustees for the Aurora Graded School District in Beaufort County, with a favorable report.

By Senator Rankin, for the Committee on Finance:

H. B. 406, a bill to provide for the redemption of real estate sold for taxes for the years 1928, 1929, 1930 and prior years in Buncombe County, with a favorable report as amended.

H. B. 840, a bill for the relief of property owners in the Mattamuskeet Drainage District, with a favorable report as amended.

S. B. 451, a bill allowing and directing the tax collecting authorities in the city of Asheboro to accept bonds in the payment of street assessments and certain taxes, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

H. B. 1199, a bill to relieve church property in the town of Whitakers, in the counties of Edgecombe and Nash, from all street or sidewalk paving assessments, when approved by a majority of the voters, with an unfavorable report.

H. B. 866, a bill to authorize the cities of Greensboro and High Point to issue funding and refunding bonds, with a favorable report.

S. B. 516, a bill supplemental to and amendatory of House Bill No. 158, ratified March 13, 1933, relating to methods of sale of property under tax liens, with a favorable report.

S. B. 532, a bill to amend chapter 51, Private Laws, extra session 1913, and to authorize and empower the board of commissioners of the town of Rowland to extend the time of payment of street and sidewalk assessments, with a favorable report.

S. B. 540, a bill relating to the extension of time for payment of special assessments levied by the city of Concord, with a favorable report.

S. B. 537, a bill relating to the revaluation of property in Vance County, with a favorable report.

H. B. 1197, a bill supplemental to House Bill 787, ratified March 15, 1933, the same being "An act to repeal chapter 147 of the Public-Local Laws of 1931 and establishing the office of tax collector and re-defining the duties of the sheriff of Polk County and fixing his salary," with a favorable report.

H. B. 1213, a bill to validate sales of real estate for taxes in Caldwell County, with a favorable report.

H. B. 1161, a bill relating to the payment of township highway bonds in Rutherford County, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Corey and MacLean: S. B. 543, a bill to amend section 4323 of the Consolidated Statutes, relating to interfering with gas, electric and steam appliances.

Referred to Committee on Judiciary No. 2.

By Senator Bland: S. B. 544, a bill to amend Senate Bill 180, Public Laws 1933, ratified on the 27th day of March, 1933, being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates."

Referred to Committee on Finance.

By Senator Fuller: S. B. 545, a bill to amend chapter 343, Private Laws of North Carolina, section 31 and sub-section "C" thereof, relating to the primaries of the town of Lumberton.

Upon motion of Senator Fuller, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Clement: S. B. 546, a bill relating to appeals from levies and assessments for taxation of unlisted property.

Referred to Committee on Finance.

By Senators Barker and Clark: S. B. 547, a bill to amend S. B. 313, ratified on the 20th day of March, 1933, the same being "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages."

Upon motion of Senator Barker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Waynick: S. B. 548, a bill to incorporate the North Carolina State Thrift Society.

Referred to Committee on Finance.

By Senator Waynick: S. B. 549, a bill to provide for instruction in thrift and saving in the public schools of the State.

Referred to Committee on Finance.



By Senator Sparger: S. B. 550, a bill to incorporate the Cooke Local Tax School District No. 8, Westfield Township, Surry County.

Referred to Committee on Education.

#### PETITIONS AND MEMORIALS

A petition from the taxpayers of Ashe County protesting against the passage of any form of sales tax, is presented by Senator McNeill of Ashe and referred to the Committee on Finance.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1248, a bill to correct some uncertainty in the location of the line between the counties of Wilkes and Alleghany.

Referred to Committee on Counties, Cities and Towns.

H. B. 1252, a bill to permit donors to prescribe the salaries of employees assigned to certain duties in certain State Departments or Agencies which employees are supported by such donors and whose salaries are entirely derived by donations to be used for that particular purpose and no other.

Referred to Committee on Salaries and Fees.

H. B. 1256, a bill to authorize the county commissioners of Robeson County to make regulations for the prevention of hydrophobia in Robeson County.

Referred to Committee on Public Health.

H. B. 1257, a bill relating to elections and the holding of second primaries in the city of Kinston.

Upon motion of Senator Summersill, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1263, a bill to amend section 4458 of the Consolidated Statutes, relating to public drunkenness in the King High School District, Stokes County.

Referred to Committee on Judiciary No. 2.

H. B. 1267, a bill to prevent drunkenness and disorderly conduct in public places in Orange County.

Referred to Committee on Judiciary No. 2.

H. R. 1270, a joint resolution requesting the advisory opinion of the Chief Justice and Associate Justices of the Supreme Court upon House Bill 879, providing for the calling of a convention of the people of North Carolina for the purpose of considering the proposed amendment to the Constitution of the United States, repealing the Eighteenth Amendment.

Upon motion of Senator Waynick, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1271, a bill supplemental to S. B. 180, the same being "An act to allow the counties, municipalities and other governing agencies to refund tax certificates, ratified March 27, 1933."

Referred to Committee on Finance.

H. B. 1272, a bill to place the clerk of the Superior Court, the register of deeds and the judge of the recorder's court of Harnett County upon a salary, and to fix the compensation of the said officers.

Referred to Committee on Counties, Cities and Towns.

H. B. 1273, a bill to fix the compensation of the sheriff and the jailer of Harnett County and to clarify the laws with respect to the said office of sheriff.

Referred to Committee on Salaries and Fees.

H. B. 1274, a bill to amend chapter 86 of the Public-Local Laws of 1931, being "An act to place the officers of Mecklenburg County on salaries."

Referred to Committee on Salaries and Fees.

H. B. 1275, a bill to amend S. B. 175 the same being "A bill to be entitled an act to create the office of treasurer-tax collector of Mecklenburg County, and collector of revenue for the city of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers."

Upon motion of Senator Kirkpatrick, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1276, a bill to provide for election in the town of Trenton, Jones County.

Referred to Committee on Election Laws.

HOUSE OF REPRESENTATIVES,  
April 11, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in Senate Amendments to House Bill No. 334, title "to authorize the towns of Waynesville and Hazelwood to establish, construct and maintain a joint sewer disposal system," and asks for conference. The Speaker appoints as conferees on the part of the House, to confer with like appointees from the Senate, Messrs. Howell, Gattis and White.

Respectfully,

THAD EURE,  
*Principal Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators Francis and Bell, and a message is ordered sent to the House of Representatives informing that Body of such action.

HOUSE OF REPRESENTATIVES,  
TUESDAY NIGHT, April 11, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate requesting the return of H. B. 1163, title, "relating to the payment of assessments for street improvements in the town of Williamston," for further consideration by the House.

Respectfully,

THAD EURE,  
*Principal Clerk of the House.*



Upon motion of Senator MacLean, the bill is ordered returned to the House of Representatives.

HOUSE OF REPRESENTATIVES,

TUESDAY NIGHT, April 11, 1933.

*Mr. President:*

Pursuant to your request we are herewith returning to your Body, H. B. 782, "reducing the salaries of certain officers of Wake County," for further consideration by your Body.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

Upon motion of Senator Hinsdale, the vote by which the bill passed its third reading is reconsidered.

Upon motion of Senator Hinsdale, the bill is re-referred to the Committee on Judiciary No. 1.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 528, a bill to extend the time for attachment of penalties for the non-payment of taxes for the year 1932 in Anson County and to permit the board of commissioners of Anson County to advertise delinquent taxpayers, upon third reading.

The bill passes third reading, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Grady, Griffin of Chowan, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—42.

The bill is ordered sent to the House of Representatives.

S. B. 535, a bill to provide for the issuance of revenue anticipation notes of the county of Guilford and for the execution of said notes by facsimile signatures of the officers of said county, upon third reading.

The bill passes third reading, ayes 42, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Grady, Griffin of Chowan, Gwyn, Hairfield, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—42.

The bill is ordered sent to the House of Representatives.

S. B. 361, a bill to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865, and chapter 56, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in State supported institutions of higher learning in North Carolina, for concurrence in the House amendment.

Upon motion of Senator Clement, the Senate fails to concur in the House amendment and asks for a conference thereon.

The President appoints as conferees on the part of the Senate, Senators Clement and Long, and a message is ordered sent to the House of Representatives, informing that Body of such action.

S. B. 291, a bill to amend chapter 333, Public Laws, 1929, relating to non-resident fur dealer's license.

The substitute offered by the Committee is adopted.

Senator Fuller offers an amendment which is adopted.

The bill, being a roll call bill, is placed upon the roll call Calendar for tomorrow.

S. B. 419, a bill to provide for the establishment of a State supervised insurance fund; and for the purpose of providing insurance to employers subject to the Workmen's Compensation Act; and to provide for the administering of said fund and to amend Chapter 120 of the Public Laws of 1929.

Senator Griffin of Franklin offers an amendment which is adopted.

The amendment offered by Senator Kirkpatrick fails of adoption.

Senator Hinsdale moves that the bill, with pending amendments do lie upon the Table.

Upon this motion, Senator Dunagan calls for the ayes and noes.

The call is sustained.

The motion fails to prevail, ayes 11, noes 30, as follows:

Those voting in the affirmative are: Senators Cross, Gwyn, Hinsdale, Kirkpatrick, Land, McDuffee, McNeill of Ashe, Moore, Noell, Summersill, Walker—11.

Those voting in the negative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hartsell, Hill, Joyner, Long, MacLean, McBryde, McNeill of Cumberland, Sparger, Waynick—30.

The following pair is announced: Senator Rankin, "aye," Senator Hanes, "no."

The bill, as amended, passes second reading, ayes 21, noes 20, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Dunagan, Efird, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Joyner, Long, McBryde, McNeill of Cumberland—21.

Those voting in the negative are: Senators Aiken, Barker, Corey, Cross, Dempsey, Grady, Gwyn, Hill, Hinsdale, Kirkpatrick, Land, MacLean, McDuffee, McNeill of Ashe, Moore, Noell, Sparger, Summersill, Walker, Waynick—20.

The following pair is announced: Senator Hanes, "aye," Senator Rankin, "no."

S. B. 463, a bill to amend sections 58 and 60 of chapter 148 of the Public Laws of 1927, relating to traffic violation.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 476, a bill that the sale of lime produced by convict labor be confined to the various State Departments and its subdivisions.

Passes its second and third readings and is ordered sent to the House of Representatives.



S. B. 486, a bill to authorize the Forestry Department of the North Carolina State College of Agriculture and Engineering of the University to borrow funds for the purchase of forest lands.

Senator Land offers an amendment which is adopted.

Upon the passage of the bill on its second reading, Senator McNeill of Ashe calls for the ayes and noes.

The call is sustained.

The bill fails to pass its second reading, ayes 11, noes 26, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Blackstock, Blue, Burgin, Griffin of Chowan, Hill, Kirkpatrick, Land, MacLean, Noell—11.

Those voting in the negative are: Senators Bailey, Bell, Bland, Clark, Clement, Corey, Cross, Dunagan, Efird, Francis, Grady, Griffin of Franklin, Hairfield, Hinsdale, Joyner, Long, McBryde, McDuffee, McNeill of Ashe, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—26.

Upon motion of Senator Bagley, H. B. 874, a bill to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor, is taken from the unfavorable Calendar and referred to the Committee on Propositions and Grievances.

Senator Walker moves that S. B. 223, a bill to define and establish the Senatorial Districts of the State as required by the Constitution and to make the apportionment of the members of the Senate, be taken from the unfavorable Calendar and placed upon the Calendar.

The motion fails to prevail.

Senator Moore moves that the bill be taken from the unfavorable Calendar and re-referred to the Committee on Senatorial Districts.

The motion prevails.

Upon motion of Senator Clark, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## EIGHTY-SIXTH DAY

SENATE CHAMBER,

THURSDAY, April 13, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Theodore Partrick of the Church of the Good Shepherd, Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the gallery are extended to classes of St. Mary's and Buckhorn Schools of Wilson County, and Professors Barnes and Boswell.

Upon motion of Senator Fuller, H. B. 1256, a bill to authorize the county commissioners of Robeson County to make regulations for the prevention of hydrophobia in Robeson County, is taken from the Committee on Public Health and placed upon the Calendar for immediate consideration.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

S. B. 526, a bill to amend Finance substitute bill for Senate Bill No. 10, the same being "An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities," ratified the third day of April, 1933, with a favorable report.

S. B. 483, a bill to authorize the trustees of the University to construct and finance an athletic stadium for North Carolina State College out of funds other than general revenues of the State, with a favorable report.

H. B. 1226, a bill to amend House Bill 997, being "An act to appoint a board of revaluation and review in Yancey County," with a favorable report.

S. B. 544, a bill to amend Senate Bill No. 180, Public Laws, 1933, ratified on the 27th day of March, 1933, being "An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates," with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

H. B. 1162, a bill to authorize the issuance of scrip by Beaufort County, with an unfavorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 1124, a bill to repeal chapter 83 of the Public-Local Laws of 1929, relating to the nomination and election of county commissioners in Columbus County, with a favorable report.

H. B. 1207, a bill to define the boundaries of Morehead City harbor, to provide for the appointment of a harbor master and pilots, and to regulate pilotage fees, with a favorable report.

H. B. 1212, a bill to define the boundaries of Kelly Cemetery, Abbotts Township, Bladen County, and to appoint trustees for said cemetery, with a favorable report.

By Senator Walker, for the Committee on Election Laws:

H. B. 1276, a bill to provide for election in the town of Trenton, Jones County, with a favorable report.

## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 379, a bill relating to the board of county commissioners of Buncombe County, fixing their duties.

S. B. 519, a bill amending Senate Bill 180, the same being a bill entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," by leaving the operation of said law in so far as Wake County is concerned in the discretion of the commissioners of said county.



Upon motion of Senator Hinsdale, the vote by which the bill passed its third reading is reconsidered.

Upon motion of Senator Hinsdale, the bill is referred to the Committee on Judiciary No. 1.

S. B. 441, a bill to amend section 1443 of the Consolidated Statutes, relating to courts of Wayne County.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Kirkpatrick: S. B. 551, a bill to authorize the board of county commissioners of Mecklenburg County to levy additional tax for the support and maintenance of the county tubercular hospital.

Referred to Committee on Finance.

By Senator Kirkpatrick: S. B. 552, a bill to preserve and make more secure the charter rights of Davidson College and its citizenship and student body, in relation to the sale of beer, spiritus frumenti, or other intoxicants.

Referred to Committee on Judiciary No. 1.

By Senator Kirkpatrick: S. B. 553, a bill to provide the regulation of peddlers in the city of Charlotte, North Carolina.

Referred to Committee on Judiciary No. 2.

By Senator Bland, by request: S. B. 554, a bill safeguarding life and property by prohibiting the sale, disposal of by gift or as premiums of certain electrical materials, devices, appliances and equipment unless such electrical materials, devices, appliances and equipment are in conformity with approved methods of construction for safety to life and property.

Referred to Committee on Judiciary No. 1.

By Senator Grady: S. B. 555, a bill to amend section 2591 of the North Carolina Code of 1927, relating to reopening judicial sales under execution.

Referred to Committee on Judiciary No. 2.

By Senator Blue: S. B. 556, a bill to amend chapter 25 of the Private Laws of 1911, increasing the number of commissioners of the town of Ellerbe from three to five.

Placed upon the Calendar.

By Senator Hinsdale: S. R. 557, a joint resolution concerning Hon. J. R. Baggett.

Upon motion of Senator Hinsdale, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered engrossed.

By Senator Waynick: S. B. 558, a bill to allow the shipment and storage of legalized beverages in the State of North Carolina.

Upon motion of Senator Waynick, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Clement: S. B. 559, a bill to amend chapter 318, Public-Local Laws of 1931, for the relief of Iredell-Rowan County Drainage District No. 1.

Referred to Committee on Finance.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 443, a bill validating the action of the commissioners of Macon County in postponing the sale of land for taxes in Macon County, for concurrence in the House amendment.

Placed upon the Calendar.

H. B. 1180, a bill to permit the governing bodies of the various counties, cities, towns and other units which have funds in failed banks to accept the bonds of said counties, cities, towns, for said funds or any judgment recorded on account of same.

Referred to Committee on Finance.

H. B. 1195, a bill supplemental to H. B. 1033, the same being a bill to be entitled "An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in Rutherford County," ratified on the 3rd of April, 1933.

Referred to Committee on Education.

H. B. 1165, a bill to repeal chapter 171, Private Laws of 1923, appointing trustees for school district No. 8, Waynesville Township, Haywood County, North Carolina, and to authorize the clerk of the Superior Court of Haywood County to convey title to a certain lot of land in said township.

Referred to Committee on Education.

H. B. 1230, a bill abolishing tax penalties in Macon County.

Referred to Committee on Finance.

H. B. 1268, a bill to amend chapter 95 of the Private Laws of 1927, relative to pensioning the disabled and superannuated policemen of the city of Asheville and their widows.

Referred to Committee on Judiciary No. 2.

H. B. 1243, a bill to promote the listing and collection of taxes on unlisted property in Wake County.

Referred to Committee on Finance.

H. B. 1236, a bill to prevent trespass upon the lands of another in Yancey County.

Referred to Committee on Judiciary No. 1.

H. B. 1223, a bill to regulate and fix the salaries of officers of Alamance County.

Referred to Committee on Salaries and Fees.

H. B. 1259, a bill to repeal chapter 273 of Public-Local Laws of 1931, relating to certain public funds in Currituck County.

Referred to Committee on Finance.

H. B. 1260, a bill to amend section 1443 of Volume III of the Consolidated Statutes, providing an additional term of court for Perquimans County.

Referred to Committee on Courts and Judicial Districts.

H. B. 1246, a bill to validate sales of lands for taxes by the county of Surry and the several incorporated towns therein.

Referred to Committee on Finance.



H. B. 1279, a bill to amend the Machinery Act of 1933.

Placed upon the Calendar.

H. B. 1283, a bill supplemental to S. B. 180, the same being "An act to allow the counties, municipalities and other governing agencies to refund tax certificates," ratified March 27, 1933.

Referred to Committee on Finance.

H. B. 1281, a bill to regulate the sale of milk bottles and containers in Pitt County.

Referred to Committee on Agriculture.

H. B. 1278, a bill to regulate the costs in criminal actions in courts of justice of the peace for Richmond County.

Placed upon the Calendar.

H. B. 1286, a bill to authorize the board of education of Buncombe County to pay to Mrs. Helen Creaseman Whittemore for services rendered in the years 1931-1932.

Referred to Committee on Education.

H. B. 1136, a bill to amend chapter 569 of the Public-Local Laws of 1913, as amended, relating to the municipal court of the city of High Point.

Referred to Committee on Courts and Judicial Districts.

H. B. 1289, a bill to prohibit the manufacture or sale of beer or wine in French's Creek Township, Bladen County.

Referred to Committee on Judiciary No. 1.

H. B. 1287, a bill supplemental to and amendatory to S. B. 135, entitled "An act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933.

Referred to Committee on Judiciary No. 2.

HOUSE OF REPRESENTATIVES,

WEDNESDAY NIGHT, April 12, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that at its request the Speaker has appointed, on the part of the House, Representatives Allen, Murphy, and Graham to act as conferees with your appointees to consider the differences arising on S. B. 361, title, "to repeal sections 5800, 5821, 5835, 5842, 5847, 5851, 5856, 5865, and chapter 56, Private Laws of 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in the State supported institution of higher learning," and to adjust the same.

Respectfully,

THAD EURE,

*Principal Clerk.*

HOUSE OF REPRESENTATIVES,

April 13, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has failed to adopt Senate substitute bill for House bill No. 743, title "relating to the salaries of the officers of Vance County," and asks for a Conference. The Speaker has appointed as Conferees on part

of the House to act with like appointees of your Body to the end that the differences may be considered and adjusted, Messrs. Allen, Falkner and Downtin.

Respectfully,

THAD EURE,

*Principal Clerk.*

The President appoints as Conferees on the part of the Senate, Senators McDuffee and Blackstock, and a message is ordered sent to the House of Representatives, informing that Body of such action.

HOUSE OF REPRESENTATIVES,

April 13, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House has adopted the Conferees report on Senate bill No. 327, title, "to authorize tobacco boards of trade to make reasonable rules and regulatins for the sale of leaf tobacco by auction," to the end if a similar report is adopted by your Body the bill may be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk.*

The bill is ordered enrolled.

#### ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 373, an act to amend chapter 104, Public Laws of 1909, and chapter 156, Public-Local Laws of 1911, and chapter 324, Public-Local Laws of 1915, and chapter 24, Public-Local Laws of 1931, relative to the recorder's court of Reidsville Township, fixing the salaries, respectively, of the recorder and solicitor of said court.

S. B. 374, an act to amend section 1443 of the Consolidated Statutes, fixing the terms of court in the several counties, this act relating only to the terms of court in Rockingham County.

S. B. 420, an act to repeal chapter 301, Public-Local Laws of 1927, relative to slot machines in Bladen County.

S. B. 448, an act validating certain deeds and deeds of trust registered in the office of the register of deeds for Vance County.

S. B. 456, an act relating to the collection of the amount due the town of Rutherfordton for sale of water and light plants and creating a sinking fund with the amount received.

S. B. 474, an act to amend S. B. 175, relating to the office of treasurer-tax collector of Mecklenburg County.

S. B. 475, an act to authorize the governing agencies in Wayne County to acquire their own obligations.

S. B. 488, an act to fix and regulate the court costs and witness' fees in the recorder's court of Iredell County.



S. B. 499, an act to include Edgecombe County among the counties making punishment for giving worthless checks under fifty dollars punishable by fine not to exceed fifty dollars or imprisonment for thirty days.

S. B. 508, an act to amend chapter 44 of the Private Laws of North Carolina, 1907, relating to the charter of the town of Garland, Sampson County, so that the officers of said town shall be elected biennially instead of annually.

S. B. 515, an act to amend the charter of the town of Belhaven, Beaufort County, being chapter 246, Private Laws of 1907.

S. B. 547, an act to amend S. B. 313, ratified on the 20th day of March, 1933, the same being an act relating to the fees for registering federal crop liens and federal chattel mortgages.

H. R. 1270, a joint resolution requesting the advisory opinion of the chief justice and associate justices of the Supreme Court upon H. B. 879, providing for the calling of a convention of the people of North Carolina, for the purpose of considering the proposed amendment to the constitution of the United States, repealing the eighteenth amendment.

H. B. 1177, an act to empower fiduciaries to sign depositors' agreements in connection with the reopening of certain banks formerly doing business in North Carolina.

H. B. 1257, an act relating to elections and the holding of second primaries in the city of Kinston.

H. B. 1275, an act to amend S. B. 175, the same being "A bill to be entitled, An act to create the office of treasurer-tax collector of Mecklenburg County, and Collector of Revenue for the city of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent tax payers," ratified April 3, 1933.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 540, a bill relating to the extension of time for payment of special assessments levied by the city of Concord, upon second reading.

The bill passes second reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Bell, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Joyner, Kirkpatrick, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Waynick—37.

H. B. 866, a bill to authorize the cities of Greensboro and High Point to issue funding and refunding bonds, upon second reading.

The bill passes second reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Bell, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Joyner, Kirkpatrick, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Waynick—37.

H. B. 1161, a bill relating to the payment of township highway bonds in Rutherford County, upon second reading.

The bill passes second reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Bell, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Joyner, Kirkpatrick, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Waynick—37.

S. B. 516, a bill supplemental to and amendatory of H. B. 158, ratified March 13, 1933, relating to methods of sale of property under tax liens.

Passes its second and third readings, and is ordered sent to the House of Representatives.

S. B. 531, a bill to amend chapter 151, Private Laws of North Carolina and the sections contained therein relating to the method of electing trustees of the Lumber Bridge Graded School District.

Upon motion of Senator Fuller, the bill is re-referred to the Committee on Education.

S. B. 532, a bill to amend chapter 51, Private Laws, Extra Session 1913, and to authorize and empower the board of commissioners of the town of Rowland to extend the time of payment of street and sidewalk assessments.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 537, a bill relating to the revaluation of property in Vance County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 451, a bill allowing and directing the tax collecting authorities of the city of Asheboro to accept bonds in the payment of street assessments and certain taxes.

The substitute offered by the Committee is adopted.

Senator Ingram offers an amendment which is adopted.

Passes its second and third readings and is ordered engrossed.

H. B. 406, a bill to provide for the redemption of real estate sold for taxes for the years 1928, 1929, 1930 and prior years in Buncombe County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 465, a bill to appoint a member of the board of education of Jones County, to fill vacancy caused by resignation of George Hughes to become clerk, Superior Court.

Passes its second and third readings and is ordered enrolled.

H. B. 833, a bill to appoint trustees for Andrews School District in Cherokee County.

Passes its second and third readings and is ordered enrolled.

H. B. 840, a bill for the relief of property owners in the Mattamuskeet Drainage District.

The amendment offered by the Committee is adopted.



The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1196, a bill to fix the term of office of the mayor and commissioners of the city of Saluda and to fix the mayor's salary.

Passes its second and third readings and is ordered enrolled.

H. B. 1197, a bill supplemental to H. B. 787, ratified March 15, 1933, the same being "An act to repeal chapter 147 of the Public-Local Laws of 1931, and establishing the office of tax collector and re-defining the duties of the sheriff of Polk County and fixing his salary."

Passes its second and third readings and is ordered enrolled.

H. B. 1213, a bill to validate sales of real estate for taxes in Caldwell County.

Passes its second and third readings and is ordered enrolled.

H. B. 1215, a bill governing the nomination and election of county commissioners of Pamlico County.

Passes its second and third readings and is ordered enrolled.

H. B. 1219, a bill to create and appoint a board of trustees for the Aurora Graded School District in Beaufort County.

Passes its second and third readings and is ordered enrolled.

H. B. 1245, a bill to amend H. B. 671 of the General Assembly of 1933, entitled "An act to amend section 1, chapter 2 of the Private Laws of 1931, relating to the election of cotton weigher of Marshville, North Carolina."

Passes its second and third readings and is ordered enrolled.

H. B. 1279, a bill to amend the machinery act of 1933.

Passes its second and third readings and is ordered enrolled.

S. B. 419, a bill to provide for the establishment of a State supervised insurance fund; and for the purpose of providing insurance to employers subject to the Workmen's Compensation Act; and to provide for the administering of said fund, and to amend chapter 120 of the Public Laws of 1929.

Senator Kirkpatrick moves that the bill be re-referred to the Committee on Insurance.

The motion fails to prevail.

The bill fails to pass its third reading, ayes 19, noes 20, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Dunagan, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Ingram, Long, McBryde—19.

Those voting in the negative are: Senators Aiken, Brown, Corey, Cross, Dempsey, Hartsell, Hinsdale, Joyner, Kirkpatrick, Land, MacLean, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—20.

The following pairs are announced: Senator Greene, "aye," Senator Hill, "No"; Senator McNeill of Cumberland, "aye," Senator Gwyn, "no"; Senator Blackburn, "aye," Senator Waynick, "no."

Senator MacLean lodges a motion to reconsider the vote by which the bill failed to pass its third reading.

S. B. 291, a bill to amend chapter 333, Public Laws 1929, relating to non-resident fur dealers' license, upon second reading.

The bill passes second reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Fuller, Griffin of Franklin, Gwyn, Hairfield, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Noell, Patton, Rankin, Summersill, Walker, Waynick—36.

S. B. 490, a bill to create a building code council for North Carolina.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 231, a bill to amend section 2494, Volume III, of the Consolidated Statutes, requiring all couples of North Carolina who marry in another State to file a copy of their marriage certificate in the office of the register of deeds of the home county of the groom.

Passes its second and third readings and is ordered enrolled.

H. B. 240, a bill to amend section 1569 of the Consolidated Statutes, relating to removal of cases in courts of justices of the peace.

Senator Kirkpatrick offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 241, a bill to amend section 1498 of the Consolidated Statutes, relating to removal of cases in courts of justices of peace.

Senator Kirkpatrick offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 242, a bill to amend section 10, chapter 135, Public Laws of North Carolina, session 1925, relating to removal of cases in courts of justices of peace.

Senator Kirkpatrick offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 975, a bill to prohibit the wrongful use of milk bottles, crates, cans and other containers of dairy products.

The substitute offered by the Committee is adopted.

Senator Kirkpatrick offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate substitute.

H. B. 1087, a bill to amend section 6649 of the Consolidated Statutes of North Carolina, session of 1919, relating to the practice of dentistry.

Passes its second and third readings and is ordered enrolled.

S. B. 529, a bill to amend section 6196 of the Consolidated Statutes, relating to questions to be answered and certified to superintendents of State Hospitals for the insane.

Passes its second and third readings and is ordered sent to the House of Representatives.



H. B. 1154, a bill to provide for the reorganization of banks in North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 1256, a bill to authorize the county commissioners of Robeson County to make regulations for the prevention of hydrophobia in Robeson County.

Passes its second and third readings and is ordered enrolled.

#### CONFERENCE REPORT

Senator Bland for the Conferees appointed to consider the differences arising upon H. B. 550, a bill to regulate automobile liability rates, submits the following report.

*To the President of the Senate and the Speaker of the House of Representatives:*

We, the undersigned, your committee appointed to consider and adjust the differences arising on House Bill No. 550, title "to regulate the automobile liability rates," do recommend the following:

That the Senate recede from its amendment.

D. H. BLAND,

T. S. CROSS,

*Conferees on the part of the Senate.*

R. G. JOHNSON,

H. E. OLIVE.

L. C. GRANT,

*Conferees on the part of the House.*

Upon motion of Senator Bland, the report of the Conferees is adopted and a message is ordered sent to the House of Representatives informing that Body of such action.

Upon motion of Senator Grady, H. B. 1092, a bill for the relief of the estates of deceased persons, is taken from the unfavorable Calendar and re-referred to the Committee on Judiciary No. 2.

Upon motion of Senator Rankin, S. B. 548, a bill to incorporate the North Carolina State Thrift Society, and S. B. 549, a bill to provide for instruction in thrift and saving in the public schools of the State, are taken from the Committee on Finance and referred to the Committee on Education.

Upon motion of Senator Griffin of Chowan, H. B. 1260, a bill to amend section 1443 of Volume III of the Consolidated Statutes, providing for an additional term of court for Perquimans County, is taken from the Committee on Courts and Judicial Districts and placed upon the Calendar.

Upon motion of Senator Griffin of Franklin, H. B. 1199, a bill to relieve church property in the town of Whitakers in the counties of Edgecombe and Nash from all street and sidewalk paving assessments when approved by a majority of the voters, is taken from the unfavorable Calendar and re-referred to the Committee on Finance.

Senator Rankin moves that the Senate adjourn to meet tomorrow morning at 10:00 o'clock at which time only Public-Local bills be considered, and when it adjourns tomorrow it adjourn to meet Saturday morning at 10:00 o'clock

at which time only Public-Local bills be considered, and that when it adjourns Saturday it adjourn to meet Monday night at 8:00 o'clock at which time only Public-Local bills be considered, and when it adjourns Monday night, it adjourn to meet Tuesday at 12:00 o'clock m.

The motion prevails.

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### EIGHTY-SEVENTH DAY

SENATE CHAMBER,

FRIDAY, April 14, 1933.

The Senate meets pursuant to adjournment, and in the absence of the President and the President pro tempore, the Principal Clerk calls Senator Hinsdale to the chair who calls the Senate to order.

Prayer is offered by Rev. J. W. Gilliam, member of the House of Representatives.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator McNeill of Ashe, H. B. 1248, a bill to correct some uncertainty in the location of the line between the counties of Wilkes and Alleghany, is taken from the Committee on Counties, Cities and Towns and placed upon the Calendar.

Upon motion of Senator Sparger, H. B. 962, a bill to authorize and empower the board of commissioners of Surry County to fix and reduce the salaries of certain officers in said county in accordance with the current standard of prices, wages and salaries, is taken from the Committee on Salaries and Fees and placed upon the Calendar.

### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed, and they are ordered sent to the House of Representatives:

S. B. 451, a bill allowing and directing the tax collecting authorities in the city of Asheboro to accept bonds in the payment of street assessments and certain taxes.

S. B. 490, a bill to create a building code council for North Carolina.

S. B. 557, a joint resolution concerning Honorable J. R. Baggett.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Burgin and Blackstock: S. B. 560, a bill declaring the policy of the State of North Carolina in respect to the use, protection, and development of the water power resources thereof and providing for the creation of "the hydro-electric power commission of North Carolina;" to effectuate the same



by the manufacturing and /or distribution of hydro-electric power for the benefit of the people of the State as a whole.

Referred to Committee on Conservation and Development.

By Senator Patton: S. B. 561, a bill to amend House Bill 747, being "An act to amend chapter 35 of the Public Laws of North Carolina, session 1931, relating to certain claims paid by the board of county commissioners of Cherokee County."

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 1225, a bill to repeal section 5 of chapter 691 of the Public-Local Laws of 1915, relative to fees for serving summons and other processes in Louisville Township, Franklin County.

Referred to Committee on Judiciary No. 2.

H. B. 1228, a bill to validate the acts of certain justices of the peace in Macon County.

Referred to Committee on Judiciary No. 2.

H. B. 1229, a bill to provide for the suspension of the levy and collection of special school taxes in Iotla School District, Macon County, for a period of two years.

Referred to Committee on Finance.

H. B. 1258, a bill giving the county commissioners of Currituck County the authority to fix the salaries of the officers and employees of said county.

Referred to Committee on Salaries and Fees.

H. B. 1298, a bill to amend S. B. 180, Public Laws of 1933, entitled, "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

Referred to Committee on Finance.

H. B. 1300, a bill to amend H. B. 1217, entitled, "An act to amend the fishing laws as to Cherokee County," ratified April 10, 1933.

Referred to Committee on Fish and Fisheries.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1248, a bill to correct some uncertainty in the location on the line between the counties of Wilkes and Alleghany.

Passes its second and third readings and is ordered enrolled.

H. B. 1260, a bill to amend section 1443 of Volume III of the Consolidated Statutes, providing an additional term of court for Perquimans County.

Senator Griffin of Chowan offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1278, a bill to regulate the costs in criminal actions in courts of justice of the peace for Richmond County.

Passes its second and third readings and is ordered enrolled.

H. B. 1226, a bill to amend H. B. 997, being, "An act to appoint a board of revaluation and review in Yancey County."

Passes its second and third readings and is ordered enrolled.

S. B. 443, a bill validating the action of the commissioners of Macon County in postponing the sale of land for taxes in Macon County, for concurrence in the House amendment.

Upon motion of Senator Patton, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 962, a bill to authorize and empower the board of commissioners of Surry County to fix and reduce the salaries of certain officers in said county in accordance with the current standard of prices, wages and salaries.

Senator Sparger offers a substitute which is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate substitute.

Upon motion of Senator Patton, the Senate adjourns to meet tomorrow morning at 10:00 o'clock.

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## EIGHTY-EIGHTH DAY

SENATE CHAMBER,

SATURDAY, April 15, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Theodore Partrick, Rector of Good Shepherd Episcopal Church of Raleigh, N. C.

Without objection the reading of the Journal is dispensed with.

Upon motion of Senator Hinsdale, H. B. 1181, a bill to amend the official regulations governing the sale of fresh meats in the city of Raleigh, and Wake County, is taken from the Committee on Agriculture and placed upon the Calendar.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Boggan: S. B. 562, a bill to submit a proposed amendment to section 3 of article 5 of the Constitution of North Carolina raising the rate of tax on incomes.

Referred to Committee on Constitutional Amendments.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 699, a bill to amend chapter 431 of Public-Local Laws of 1927, reducing the shooting license for residents of North Carolina in Currituck County as to migratory fowls, from five dollars to one dollar.

Referred to Committee on Game Laws.

H. B. 807, a bill regulating hunting license in Hyde County.

Referred to Committee on Game Laws.

H. B. 981, a bill to repeal chapter 20, Public-Local Laws of 1927, relating to the sale and transportation of fireworks in Jackson County.

Referred to Committee on Propositions and Grievances.

H. B. 1027, a bill to make the provisions of section 1864 of Volume III of the Consolidated Statutes, relating to depredations of domestic fowls, applicable to Columbus County.

Referred to Committee on Propositions and Grievances.

H. B. 1049, a bill to amend chapter 27, sub-chapter 4, articles 18, 21 and 23 of the Consolidated Statutes, and amendments thereto, relating to municipal recorder's courts, to extend the criminal and civil jurisdiction of the recorder's court of Wendell to include all of Mark's Creek Township and Saint Matthew's Township, in Wake County, and to provide for the election of the recorder of said court.

Referred to Committee on Judiciary No. 1.

H. B. 1065, a bill to regulate fox hunting in Macon County.

Referred to Committee on Game Laws.

H. B. 1111, a bill relating to the use of profane language on the public highways of Gates County.

Referred to Committee on Propositions and Grievances.

H. B. 1261, a bill to prohibit the use of long haul or drag nets by power in portions of Bay River and Neuse River, Pamlico County.

Referred to Committee on Fish and Fisheries.

H. B. 1282, a bill to validate the acts of E. D. Gooch as a justice of the peace in and for Granville County.

Referred to Committee on Judiciary No. 1.

H. B. 1285, a bill to allow the commissioners of Henderson County to accept bonds in payment of certain taxes.

Referred to Committee on Finance.

H. B. 1293, a bill to fix the compensation of the sheriff of Anson County for the collection of taxes.

Upon motion of Senator Boggan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1299, a bill to amend section 6054 of Volume III of the Consolidated Statutes, exempting Avery County from the primary law for candidates for county offices.

Referred to Committee on Election Laws.

H. B. 1302, a bill to amend H. B. 135, ratified April 11, 1933, entitled, "An act to authorize fishing in the French Broad River from the point where it

enters Buncombe County to the point where it enters Madison County, without first procuring a license to fish therein."

Referred to Committee on Fish and Fisheries.

H. B. 1305, a bill to amend S. B. 313, entitled "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified the 20th day of March, 1933, by exempting the counties of Haywood, Jackson and Macon from the provisions.

Upon motion of Senator Francis, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1308, a bill relating to court procedure in Cherokee, Clay and Macon counties.

Referred to Committee on Judiciary No. 1.

H. B. 1310, a bill to amend H. B. 158, entitled "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and title thereon conveyed for failure to pay taxes," ratified the 13th day of March, 1933, so as to permit Cleveland County to be exempted from said act, to extend the time for bringing tax foreclosure suits, and to simplify the method of foreclosing said certificates in Cleveland County.

Referred to Committee on Judiciary No. 1.

HOUSE OF REPRESENTATIVES,  
FRIDAY, April 14, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate, informing that Honorable Body that the House has adopted the Conferees Report on H. B. 550, title, "to regulate the automobile liability rates," and upon receipt from your Body with a message of your adoption of a similar report, the bill will be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1276, a bill to provide for election in the town of Trenton, Jones County.

Passes its second and third readings and is ordered enrolled.

H. B. 1181, a bill to amend the official regulations governing the sale of fresh meats in the city of Raleigh, and Wake County.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Cross, the Senate adjourns to meet Monday night at 8:00 o'clock.



## EIGHTY-NINTH DAY

SENATE CHAMBER.

MONDAY, April 17, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. W. McC. White, Presbyterian Church of Raleigh, N. C.

Without objection the reading of the Journal of Saturday is dispensed with.

## PETITIONS AND MEMORIALS

The President announces receipt of a memorial from the State of Michigan relative to the inflation of the currency of the United States which is referred to the Committee on Federal Relations.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. E. 1321, a bill to allow persons having deposits in closed banks in Buncombe County to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks.

Upon motion of Senator Francis, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Francis, the Senate adjourns to meet tomorrow at 12:00 o'clock m.

## NINETIETH DAY

SENATE CHAMBER,

TUESDAY, April 18, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. R. Farris, Hillyer Memorial Church of Raleigh, N. C.

Senator Francis for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Dr. J. R. Edwards, former member of the House of Representatives.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Kirkpatrick: S. R. 563, a resolution that the General Assembly be adjourned April 30, 1933.

Placed upon the Calendar.

By Senator Ingram: S. B. 564, a bill supplemental to and amendatory of S. B. 332, being "An act to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes," ratified March 13, 1933.

Upon motion of Senator Ingram the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Ingram: S. B. 565, a bill to change the form of standard policy amending section 6437 of the Consolidated Statutes of North Carolina.

Referred to Committee on Insurance.

## ENROLLED BILLS

Senator Eflrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 327, an act to authorize tobacco boards of trade to make reasonable rules and regulations for the sale of leaf tobacco by auction.

S. B. 534, an act to require municipal elections in the town of Roanoke Rapids, Halifax County, North Carolina, to be held under the provisions of the General Election Law, providing for a secret ballot and to prescribe the method of becoming a candidate for a municipal office in said town.

H. B. 231, an act to amend section 2494, Volume III, of the Consolidated Statutes, requiring all couples of North Carolina who marry in another State to file a copy of their marriage certificate in the office of the register of deeds of the home county of the groom.

H. B. 465, an act to appoint a member of the board of education of Jones County.

H. B. 833, an act to appoint trustees for Andrews school district in Cherokee County.

H. B. 1087, an act to amend section 6649 of the Consolidated Statutes of North Carolina, session of 1919, relating to the practice of dentistry.

H. B. 1154, an act to provide for the reorganization of banks in North Carolina.

H. B. 1196, an act to fix the term of office of the mayor and commissioners of the city of Saluda and to fix the mayor's salary.

H. B. 1197, an act supplemental to H. B. 787, ratified March 15, 1933, the same being, "An act to repeal chapter 147 of the Public-Local Laws of 1931 and establishing the office of tax collector and re-defining the duties of the sheriff of Polk County and fixing his salary."



H. B. 1213, an act to validate sales of real estate for taxes in Caldwell County.

H. B. 1215, an act governing the nomination and election of county commissioners of Pamlico County.

H. B. 1219, an act to create and appoint a board of trustees for the Aurora Graded School District.

H. B. 1245, an act to amend H. B. 671 of the General Assembly of 1933, entitled "An act to amend section 1, chapter 2 of the Private Laws of 1931, relating to the election of cotton weigher of Marshville, North Carolina.

H. B. 1256, an act to authorize the county commissioners of Robeson County to make regulations for the prevention of hydrophobia in Robeson County.

H. B. 1279, an act to amend the Machinery Act of 1933.

S. B. 150, an act to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Mitchell and Avery counties.

S. B. 390, an act to provide two additional terms of civil court for Rowan County.

S. B. 422, an act relating to the closing of certain stores and filling stations in Pitt County.

S. B. 435, an act supplemental to and amending, an act ratified March 20th, 1933, it being H. B. 698 and entitled, "An act to amend chapter 431 of Public-Local Laws of 1927, and chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of game commissioners."

S. B. 443, an act validating the action of the commissioners of Macon County in postponing the sale of land for taxes in said county.

S. B. 453, an act to provide for the manner of the payment of certain streets, sidewalk and sewer assessment liens in the city of Goldsboro.

S. B. 455, an act to amend chapter 114 of the Private Laws of 1929, relative to regulating opening of gasoline stations and lunch stands in Stanly County on Sunday.

H. B. 498, an act to regulate the sale of real property upon the foreclosure of mortgages or deeds of trust.

S. B. 504, an act relating to the extension of time for payment of special assessments levied by the city of Thomasville.

S. B. 505, an act providing for special levy for special purposes in Warren County.

S. B. 518, an act to authorize the issuance of scrip by Lee County.

S. B. 536, an act to empower the board of aldermen of the city of Statesville and the board of commissioners of Iredell County to confer upon the recorder's court of Iredell County the jurisdiction of the mayor's court of the city of Statesville.

S. B. 558, an act to allow the shipment and storage of legalized beverages in the State of North Carolina.

H. B. 240, an act to amend section 1569 of the Consolidated Statutes, relating to removal of cases in courts of justices of peace.

H. B. 241, an act to amend section 1498 of the Consolidated Statutes, relating to removal of cases in courts of justices of peace.

H. B. 242, an act to amend section 10, chapter 135, Public Laws of North Carolina, session 1925, relating to removal of cases in courts of justices of peace.

H. B. 406, an act to provide for the redemption of real estate sold for taxes for the years 1928, 1929, 1930 and prior years in Buncombe County.

H. B. 840, an act for the relief of property owners in the Mattamuskeet drainage district.

H. B. 1181, an act to amend the official regulations governing the sale of fresh meats in the city of Raleigh and Wake County.

H. B. 1226, an act to amend H. B. 997, being "An act to appoint a board of revaluation and review in Yancey County."

H. B. 1248, an act to correct some uncertainty in the location of the line between the counties of Wilkes and Alleghany.

H. B. 1276, an act to provide for election in the town of Trenton, Jones County.

H. B. 1278, an act to regulate the costs in criminal actions in courts of justice of the peace for Richmond County.

H. B. 1293, an act to fix the compensation of the sheriff of Anson County for the collection of taxes.

H. B. 1305, an act to amend S. B. 313, entitled, "An act relating to the fees for registering federal crop liens and federal chattel mortgages," ratified the 20th day of March, 1933, by exempting the counties of Haywood, Jackson and Macon from the provision.

H. B. 1321, an act to allow persons having deposits in closed banks in Buncombe County to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks.

H. B. 125, an act to make appropriations for the maintenance of the State's departments, bureaus, institutions, and agencies, and for other purposes, and to reduce salaries of officers, employees and agents.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 540, a bill relating to the extension of time for payment of special assessments levied by the city of Concord, upon third reading.

The bill passes third reading, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Bell, Blackburn, Blue, Boggan, Clark, Clement, Corey, Cross, Dempsey, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Rankin, Summersill, Walker—32.

The bill is ordered sent to the House of Representatives.

H. B. 866, a bill to authorize the cities of Greensboro and High Point to issue funding and refunding bonds, upon third reading.

The bill passes third reading, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Bell, Blackburn, Blue, Boggan, Clark, Clement, Corey, Cross, Dempsey, Francis, Fuller,



Grady, Greene, Griffin of Franklin, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Rankin, Summersill, Walker—32.

The bill is ordered enrolled.

H. B. 1161, a bill relating to the payment of township highway bonds in Rutherford County, upon third reading:

The bill passes third reading, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Bell, Blackburn, Blue, Boggan, Clark, Clement, Corey, Cross, Dempsey, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Rankin, Summersill, Walker—32.

The bill is ordered enrolled.

S. B. 291, a bill to amend chapter 333, Public Laws 1929, relating to non-resident fur dealers' license, upon third reading.

The bill passes third reading, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Bell, Blackburn, Blue, Boggan, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Rankin, Summersill, Walker—33.

The bill is ordered engrossed.

H. B. 1207, a bill to define the boundaries of Morehead City harbor, to provide for the appointment of a harbor master and pilots and to regulate pilotage fees.

Passes its second and third readings and is ordered enrolled.

S. B. 483, a bill to authorize the trustees of the University to construct and finance an athletic stadium for North Carolina State College out of funds other than general revenues of the State.

Passes its second and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator Greene, S. B. 344, a bill for the relief of W. A. Hall, Yancey County, North Carolina, is taken from the Table and placed upon the Calendar.

Senator MacLean moves that the rules be suspended in order that he may be allowed to make a motion on Thursday to reconsider the vote by which S. B. 419, a bill to create and establish a State fund for the purpose of providing insurance for employers subject to the Workmen's Compensation Act, to provide for the administering said fund and to amend chapter 120, Public Laws, 1929, failed to pass its third reading.

The motion prevails.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow at 12:00 o'clock m.

## NINETY-FIRST DAY

SENATE CHAMBER,

WEDNESDAY, April 19, 1933.

The Senate meets pursuant to adjournment, and is called to order by President pro tempore W. G. Clark.

Prayer is offered by Rev. S. N. Schleifer, Seventh Day Adventist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senator S. J. Caldwell.

Upon motion of Senator Patton, H. B. 1308, a bill relating to court procedure in Cherokee, Clay and Macon counties, is taken from the Committee on Judiciary No. 1 and placed upon the Calendar.

Upon motion of Senator Sparger, H. B. 1263, a bill to amend section 4458 of the Consolidated Statutes, relating to public drunkenness in the King High School District, Stokes County, is taken from the Committee on Judiciary No. 2 and placed upon the Calendar.

Upon motion of Senator Brown, H. B. 1220, a bill to amend the Machinery Act of the General Assembly of North Carolina, session 1933, ratified April 3, 1933, is taken from the Committee on Finance and placed upon the Calendar.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 525, a bill to provide for and regulate the manufacture, transportation and sale of certain beverages, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 552, a bill to preserve and make more secure the charter rights of Davidson College and its citizenship and student body, in relation to the sale of beer, spiritus frumenti or other intoxicants, with a favorable report.

H. B. 837, a bill to repeal certain sections of chapter 64, Public-Local Laws of North Carolina, session 1931, relating to publication of legal advertisements, with a favorable report.

H. B. 1159, a bill relating to building inspection fees in Lenoir County, with a favorable report.

H. B. 1236, a bill to prevent trespass upon the lands of another in Yancey County, with an unfavorable report.

H. B. 1282, a bill to validate the acts of E. D. Gooch as a justice of the peace in and for Granville County, with a favorable report.

H. B. 1289, a bill to prohibit the manufacture or sale of beer or wine in French's Creek Township, Bladen County, with an unfavorable report.



H. B. 958, a bill to amend section 1572 of the Consolidated Statutes as applicable to trials in recorder's courts in Henderson County, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 1252, a bill to permit donors to prescribe the salaries of employees assigned to certain duties in certain State Departments or Agencies which employees are supported by such donors and whose salaries are entirely derived by donations to be used for that particular purpose and no other, with a favorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 1264, a bill to fix the compensation of the board of commissioners of Harnett County and to require a publication of expenditures by said board, with a favorable report.

H. B. 1265, a bill to fix the compensation of the auditor for the county of Harnett and to provide for an assistant auditor and to fix the compensation of such assistant, with a favorable report.

H. B. 1266, a bill to fix the compensation of the county attorney for the county of Harnett, with a favorable report as amended.

H. B. 1272, a bill to place the clerk of the Superior Court, the register of deeds and the judge of the recorder's court of Harnett County on a salary and to fix the compensation of the said officers, with a favorable report.

By Senator Hill, for the Committee on Banks and Banking:

H. B. 919, a bill to amend section 220 (a) Consolidated Statutes of North Carolina, Volume III, 1919, as amended, to limit the powers of banking corporations, with a favorable report as amended.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Beatty: S. B. 566, a bill to authorize the county commissioners of Bladen County to make regulations for the prevention of hydrophobia in Bladen County.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Beatty: S. B. 567, a bill to amend H. B. 507, entitled "An act to authorize, empower and direct the sheriff and/or tax collector of Bladen County to accept county vouchers in payment of taxes," ratified February 28, 1933.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Long: S. B. 568, a bill relative to fox hunting in Halifax County.

Upon motion of Senator Long, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator MacLean: S. B. 569, a bill to amend an act entitled "An act to allow the counties and other governing agencies to refund tax sale certificates," ratified March 27, 1933, which amendment relates only to Beaufort County.

Upon motion of Senator MacLean, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hill: S. B. 570, a bill to require the county commissioners of Durham County to reduce the salaries of county officers.

Upon motion of Senator Hill, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Cross: S. B. 571, a bill relating to payment of taxes by self insurers.

Referred to Committee on Insurance.

By Senator Patton: S. B. 572, a bill fixing the fees of jurors in Clay and Macon counties.

Referred to Committee on Judiciary No. 1.

By Senator Ingram: S. B. 573, a bill supplemental to and amendatory of H. B. 249, it being "An act to grant a new charter for the town of Pinebluff, Moore County, North Carolina," ratified March 1, 1933.

Upon motion of Senator Ingram, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Ingram: S. B. 574, a bill supplemental to and amendatory of S. B. 238, entitled "A bill to be entitled an act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381, and to transfer the illuminating oil, gas and lubricating oil, inspection division, to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture, and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform duties of inspectors for such department; and to limit the number of motor vehicle inspectors," ratified April 15, 1933.

Referred to Committee on Public Roads.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:



H. B. 945, a bill providing for certain special tax in Jackson County, applicable also to the counties of Alamance, Alleghany, Currituck, Graham, Jones, McDowell and Tyrrell.

Referred to Committee on Finance.

H. B. 1121, a bill to amend chapter 192 of the Private Laws of 1889, and chapter 231 of the Private Laws of North Carolina, 1893, and chapter 112 of the Private Laws of North Carolina of 1911, and chapter 323 of the Private Laws of North Carolina of 1915, and chapter 119 of the Private Laws of North Carolina of 1927, and to fix the corporate limits of the town of Windsor, in Bertie County.

Referred to Committee on Counties, Cities and Towns.

H. B. 1323, a bill to regulate the sale of lubricating oil, benzine, naphtha, gasoline and other products by wholesale in Mecklenburg County.

Referred to Committee on Finance.

H. B. 1324, a bill to regulate the sanitary conditions of seine beaches in Beaufort County.

Referred to Committee on Public Health.

#### PETITIONS AND MEMORIALS

A petition of citizens of Craven County protesting against legislation by this General Assembly pertaining to banking regulations, is presented by Senator Hill and referred to the Committee on Banks and Banking.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 550, an act to provide for the regulation of automobile liability insurance rates.

H. B. 866, an act to authorize the cities of Greensboro and High Point to issue funding and refunding bonds.

H. B. 1161, an act relating to the payment of township highway bonds in Rutherford County.

H. B. 1207, an act to define the boundaries of Morehead City harbor, to provide for the appointment of a harbor master and pilots and to regulate pilotage fees.

S. B. 528, an act to extend the time for attachment of penalties for the nonpayment of taxes for the year 1932 in Anson County and to permit the board of commissioners of Anson County to advertise delinquent taxpayers.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1308, a bill relating to court procedure in Cherokee, Clay and Macon counties.

Passes its second and third readings and is ordered enrolled.

H. B. 1263, a bill to amend section 4458 of the Consolidated Statutes, relating to public drunkenness in the King High School District, Stokes County. Passes its second and third readings and is ordered enrolled.

H. B. 1124, a bill to repeal chapter 83 of the Public-Local Laws of 1929, relating to the nomination and election of county commissioners in Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 1136, a bill to amend chapter 569 of the Public-Local Laws of 1913, as amended, relating to the municipal court of the city of High Point.

Passes its second and third readings and is ordered enrolled.

H. B. 1212, a bill to define the boundaries of Kelly Cemetery, Abbotts Township, Bladen County, and to appoint trustees for said cemetery.

Passes its second and third readings and is ordered enrolled.

H. B. 1220, a bill to amend the Machinery Act of the General Assembly of North Carolina, session 1933, ratified April 3, 1933.

Passes its second and third readings and is ordered enrolled.

S. B. 526, a bill to amend Finance Committee substitute bill for S. B. 10, the same being, "An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities," ratified the 3rd day of April, 1933.

Senator Moore offers an amendment which fails of adoption.

Passes its second reading, and upon objection of Senator Moore to its final passage the bill remains upon the Calendar.

S. B. 525, a bill to control and regulate the sale of certain beverages herein defined and to legalize the manufacture of beverages containing not more than 3.2 per cent of alcohol by weight, etc.

The substitute offered by the Committee is adopted, and the bill being a roll call bill, is placed upon the second reading roll call Calendar for tomorrow.

Upon motion of Senator Hinsdale, 400 copies of the bill are ordered printed.

Upon motion of Senator Kirkpatrick, H. B. 1323, a bill to regulate the sale of lubricating oil, benzine, naphtha, gasoline and other products by wholesale in Mecklenburg County, is taken from the Committee on Finance and placed upon the Calendar.

Senator Kirkpatrick moves that the rules be suspended and the bill be placed upon its immediate passage.

Upon this motion, Senator Ingram calls for the ayes and noes.

The call is sustained.

The motion fails to prevail, ayes 21, noes 14, as follows:

Those voting in the affirmative are: Senators Aiken, Beatty, Blackstock, Blue, Burgin, Clark, Corey, Cross, Francis, Grady, Greene, Hairfield, Hill, Joyner, Kirkpatrick, Long, McDuffee, McNeill of Ashe, Patton, Sparger, Summersill—21.

Those voting in the negative are: Senators Bailey, Bland, Clement, Efrid, Griffin of Chowan, Griffin of Franklin, Hinsdale, Ingram, Land, MacLean, McNeill of Cumberland, Moore, Rankin, Waynick—14.

Upon motion of Senator Sparger, H. B. 1041, a bill to exempt church property used exclusively for religious services and pastors residences from the



payment of street paving and sidewalk assessments in the town of Elkin, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Patton, the Senate adjourns to meet tomorrow at 12:00 o'clock m.

## NINETY-SECOND DAY

SENATE CHAMBER,

THURSDAY, April 20, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. O. L. Hathaway, Epworth Methodist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the gallery are extended to Misses Blanche Burke and Helen Brown and the pupils of the George Watts School, Durham, N. C.

The courtesies of the lobby are extended to Mr. and Mrs. W. J. Jones.

Senator Kirkpatrick is granted a leave of absence until Monday, April 24, 1933.

Upon motion of Senator Aiken, H. B. 802, a bill to amend chapter 448 of the Public Laws of 1931, relating to cartways, so as to include neighborhood public roads, is taken from the Table and placed upon the Calendar.

Upon motion of Senator McNeill of Cumberland, H. B. 1211, a bill to change the incorporated boundaries of the town of Whiteville, in Columbus County, is taken from the Committee on Counties, Cities and Towns and placed upon the Calendar.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 1223, a bill to regulate and fix the salaries of the officers of Alamance County, with an unfavorable report.

H. B. 978, a bill to authorize the board of commissioners of Lenoir County to fix the salaries of the county officers of Lenoir County, with a favorable report.

H. B. 1019, a bill to regulate the salaries of public officials in Transylvania County and for other purposes, with a favorable report as amended.

H. B. 1274, a bill to amend chapter 86 of the Public-Local Laws of 1931, being "An act to place the officers of Mecklenburg County on salaries," with a favorable report.

H. B. 1028, a bill to regulate the compensation of the sheriff of Brunswick County with reference to tax suits, with a favorable report.

H. B. 927, a bill to authorize the commissioners of Alamance County to reduce salaries of public officers, with an unfavorable report.

H. B. 995, a bill fixing the salary as a coroner of Johnston County, with a favorable report.

By Senator MacLean, for the Committee on Education:

S. B. 548, a bill to incorporate the North Carolina State Thrift Society, reported without prejudice as amended.

S. B. 549, a bill to provide for instruction in thrift and saving in the public schools of the State, reported without prejudice.

S. B. 550, a bill to incorporate the Cooke Local Tax School District No. 8, Westfield Township, Surry County, with an unfavorable report.

H. B. 1286, a bill to authorize the board of education of Buncombe County to pay to Mrs. Helen Creaseman Whittemore for services rendered in the years 1931-1932, with a favorable report as amended.

By Senator Rankin, for the Committee on Finance:

H. B. 1230, a bill abolishing tax penalties in Macon County, with a favorable report.

H. B. 1191, a bill to authorize, empower and direct the board of commissioners of Madison County to levy special tax for the payment of certain indebtedness due to Yancey County, with a favorable report.

H. B. 1229, a bill to provide for the suspension of the levy and collection of special school taxes in Iotla School District, Macon County, for a period of two years, with a favorable report.

H. B. 1199, a bill to relieve church property in the town of Whitakers, in the counties of Edgecombe and Nash, from all street or sidewalk paving assessments, when approved by a majority of the voters, with a favorable report.

H. B. 945, a bill providing for certain special tax in Jackson County, applicable also to the counties of Alamance, Alleghany, Currituck, Graham, Jones, McDowell and Tyrrell, with a favorable report.

H. B. 1283, a bill supplemental to Senate Bill 180, the same being "An act to allow the counties, municipalities and other governing agencies to refund tax certificates," ratified March 27, 1933, with a favorable report.

H. B. 1271, a bill supplemental to Senate Bill 180, the same being "An act to allow the counties, municipalities and other governing agencies to refund tax certificates," ratified March 27, 1933, with an unfavorable report.

H. B. 1098, a bill to amend chapter 342, Private Laws of 1901, relating to Scotland Neck, with a favorable report.

H. B. 618, a bill to authorize the board of commissioners of Buncombe County to refund certain license taxes erroneously collected, with a favorable report.

H. B. 1259, a bill to repeal chapter 273 of Public-Local Laws of 1931, relating to certain public funds in Currituck County, with a favorable report.

H. B. 1243, a bill to promote the listing and collection of taxes on unlisted property in Wake County, with a favorable report.

H. B. 1285, a bill to allow the commissioners of Henderson County to accept bonds in payment of certain taxes, with a favorable report.



H. B. 1095, a bill for the relief of the sheriffs and tax collectors in the collection of drainage assessments in Alexander County, with a favorable report.

S. B. 551, a bill to authorize the board of county commissioners of Mecklenburg County to levy additional tax for the support and maintenance of the county tubercular hospital, with a favorable report.

S. B. 559, a bill to amend chapter 318, Public-Local Laws of 1931, for the relief of Iredell-Rowan County Drainage District No. 1, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 477, a bill fixing the venue of civil actions for the foreclosure of liens and chattel mortgages, with a favorable report as amended.

S. B. 476, a bill limiting the jurisdiction of courts inferior to the Superior Court in controversies between citizens of different counties, with an unfavorable report.

S. B. 514, a bill to provide civil service for the Fire Department of the city of Raleigh, North Carolina, with an unfavorable report.

S. B. 523, a bill to amend section 1136 of the Consolidated Statutes to provide for the filing of annual reports (other than tax reports) of domestic and foreign corporations doing business in this State, and to provide a fee for the same, with a favorable report as amended.

H. B. 1107, a bill to amend section 2187 of the Consolidated Statutes, relating to the procedure to compel guardians to account, also amend chapter 9, section 2, Public Laws 1929, with a favorable report as amended.

H. B. 1310, a bill to amend H. B. 158, entitled "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified the 13th day of March, 1933, so as to permit Cleveland County to be exempted from this act, to extend the time for bringing tax foreclosure suits, and to simplify the method of foreclosing said certificates in Cleveland County, with a favorable report.

S. B. 527, a bill to amend section 867 of the Consolidated Statutes of 1919, relating to the writ of mandamus and its issuance in cases of counties, cities and other political sub-divisions, with a favorable report as amended.

S. B. 554, a bill safeguarding life and property by prohibiting the sale, disposal of by gift or as premiums of certain electrical materials, devices, appliances and equipment unless such electrical materials, devices, appliances and equipment are in conformity with approved methods of construction for safety to life and property, with a favorable report as amended.

S. B. 572, a bill fixing the fees of jurors in Clay and Macon counties, with a favorable report.

H. B. 546, a bill by which the service of notice of summons by publication can be permanently proven by record, with an unfavorable report.

## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 291, a bill to amend chapter 333, Public Laws of 1929, relating to non-resident fur dealers' license.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Patton: S. B. 575, a bill to promote orderly liquidation of closed and insolvent banks in the State of North Carolina.

Referred to Committee on Judiciary No. 1.

By Senator Burgin: S. B. 576, a bill to repeal H. B. 1321, session 1933, ratified the 18th day of April, 1933, which provided for persons having deposits in closed banks in Buncombe County to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks.

Referred to Committee on Banks and Banking.

By Senator Hanes: S. B. 577, a bill to amend S. B. 10, being a bill to be entitled "An act to provide a method for the readjustment of the indebtedness of the counties and municipalities with creditors and holders of securities by exempting Forsyth County, the municipalities and political subdivisions therein from its provsons."

Upon motion of Senator Hanes, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Hanes: S. B. 578, a bill to amend H. B. 914, entitled "An act to provide for the listing and valuing of all property, real, personal and mixed at its true value in money by exempting Forsyth County from certain provisions thereof."

Upon motion of Senator Hanes, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Hanes: S. B. 579, a bill to amend H. B. 158, entitled "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes by exempting Forsyth County, the municipalities and political subdivisions therein from the provisions contained therein."

Upon motion of Senator Hanes, the rules are suspended and the bill is placed upon its immediate readings.

Passed its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Aiken: S. B. 580, a bill to amend chapter 83, Public Laws 1931, relating to the release of land upon payment of tax on each particular



piece and to provide for subrogation and contribution to those paying taxes on lands of others.

Referred to Committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 449, a bill to amend chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local Tax School District and defining its powers and duties, for concurrence in the House substitute.

Placed upon the Calendar.

H. B. 538, a bill to further regulate the manufacture, sale, inspection and distribution of commercial fertilizer and fertilizer materials in the State of North Carolina, and fixing additional requirements governing manufacturers, manipulators, jobbers and dealers; and further provide a penalty for the punishment of violations of the fertilizer laws, to provide for penalties to be paid by manufacturers and manipulators of fertilizers in certain cases; to authorize the Commissioner of Agriculture to collect such penalties; to extend the commissioner's authority in inspecting fertilizer, and for other purposes.

Placed upon the Calendar.

H. B. 1295, a bill to regulate peddling in the city of Elizabeth City.

Referred to Committee on Finance.

H. B. 1332, a bill to allow fishing in the streams of Wilkes, Alexander and Davie Counties, with trot lines and baskets.

Referred to Committee on Fish and Fisheries.

H. B. 1335, a bill to submit to the voters of the city of Raleigh the question of increasing the terms of office of the city commissioners from two to four years.

Referred to Committee on Judiciary No. 1.

H. B. 1337, a bill to authorize and fix the attorney's fees in connection with tax foreclosure proceedings and/or suits.

Upon motion of Senator Rankin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1338, a bill to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

Upon motion of Senator Rankin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1237, a bill to amend chapter 60, section 38, Public Laws 1931, relating to the duties of local governing board.

Referred to Committee on Finance.

## ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 535, an act to provide for the issuance of revenue anticipation notes of the county of Guilford and for the execution of said notes by facsimile signatures of the officers of said county.

S. B. 564, an act supplemental to and amendatory of S. B. 332 being "An act to authorize, empower and direct the sheriff and other tax collectors in Randolph County, and municipalities in said county, to establish a partial payment plan for the collection of taxes," ratified March 13, 1933.

H. B. 962, an act to authorize and empower the board of commissioners of Surry County to fix and reduce the salaries of certain officers in said county in accordance with the current standard of prices, wages and salaries.

H. B. 975, an act to prohibit the wrongful use of milk bottles, crates, cans, and other containers of dairy products.

H. B. 1124, an act to repeal chapter 83 of the Public-Local Laws of 1929, relating to the nomination and election of county commissioners in Columbus County.

H. B. 1136, an act to amend chapter 569 of the Public-Local Laws of 1913, as amended, relating to the municipal court of the city of High Point.

H. B. 1212, an act to define the boundaries of Kelly Cemetery, Abbotts Township, Bladen County, and to appoint trustees for said cemetery.

H. B. 1220, an act to amend the Machinery Act of the General Assembly of North Carolina, session 1933, ratified April 3, 1933.

H. B. 1260, an act to amend section 1443 of Volume III of the Consolidated Statutes, providing an additional term of court for Perquimans County.

H. B. 1263, an act to amend section 4458 of the Consolidated Statutes, relating to public drunkenness in the King High School District, Stokes County.

H. B. 1308, an act relating to court procedure in Cherokee, Clay and Macon Counties.

S. B. 577, an act to amend S. B. 10, being a bill to be entitled "An act to provide a method for the readjustment of the indebtedness of the counties and municipalities with creditors and holders of securities by exempting Forsyth County, the municipalities and political subdivisions therein from its provisions."

S. B. 578, an act to amend H. B. 914, entitled "An act to provide for the listing and valuing of all property, real, personal and mixed at its true value in money by exempting Forsyth County from certain provisions thereof."

S. B. 579, an act to amend H. B. 158, entitled "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes by exempting Forsyth County, the municipalities and political subdivisions therein from the provisions contained therein."



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1211, a bill to change the incorporated boundaries of the town of Whiteville, in Columbus County.

Senator McNeill of Cumberland offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate amendment.

H. B. 802, a bill to amend chapter 448 of the Public Laws of 1931, relating to cartways, so as to include neighborhood public roads.

Senator Aiken offers an amendment which is adopted.

The bill, as amended, passes its third reading and is sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 552, a bill to preserve and make more secure the charter rights of Davidson College and its citizenship and student body, in relation to the sale of beer, spiritus frumenti, or other intoxicants.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 344, a bill for the relief of W. A. Hall, Yancey County, North Carolina.

Upon motion of Senator Greene, the bill is referred to the Committee on Judiciary No. 2.

S. B. 556, a bill to amend chapter 25 of the Private Laws of 1911, increasing the number of commissioners of the town of Ellerbe from three to five.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 958, a bill to amend section 1572 of the Consolidated Statutes as applicable to trials in recorder's courts in Henderson County.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate substitute.

H. B. 837, a bill to repeal certain sections of chapter 64, Public-Local Laws of North Carolina, session 1931, relating to publication of legal advertisements.

Passes its second and third readings and is ordered enrolled.

H. B. 1159, a bill relating to building inspection fees in Lenoir County.

Passes its second and third readings and is ordered enrolled.

H. B. 1282, a bill to validate the acts of E. D. Gooch as a justice of the peace in and for Granville County.

Passes its second and third readings and is ordered enrolled.

S. B. 525, a bill to provide for and regulate the manufacture, transportation and sale of certain beverages.

Senator Hinsdale offers an amendment which is adopted, and the bill is placed upon the second reading roll call Calendar for tomorrow.

S. B. 526, a bill to amend Finance Committee substitute bill for S. B. 10, the same being, "An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities," ratified the 3rd day of April, 1933, upon third reading.

Passes its third reading and is ordered sent to the House of Representatives.

S. B. 544, a bill to amend S. B. 180, Public Laws, 1933, ratified on the 27th day of March, 1933, being, "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates."

The substitute offered by the Committee is adopted.

Senator Grady offers an amendment which fails of adoption.

Senator Aiken offers an amendment which fails of adoption.

Senator Clement offers an amendment which is adopted.

Upon motion of Senator Corey, action on the bill is deferred and it remains upon the Calendar.

H. B. 1252, a bill to permit donors to prescribe the salaries of employees assigned to certain duties in certain State departments or agencies which employees are supported by such donors and whose salaries are entirely derived by donations to be used for that particular purpose and no other.

Passes its second and third readings and is ordered enrolled.

H. B. 919, a bill to amend section 220 (a), Consolidated Statutes of North Carolina, Volume III, 1919, as amended, to limit the powers of banking corporations.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate amendment.

H. B. 1264, a bill to fix the compensation of the board of commissioners of Harnett County and to require a publication of expenditures by said board.

Passes its second and third readings and is ordered enrolled.

H. B. 1265, a bill to fix the compensation of the auditor for the County of Harnett and to provide for an assistant auditor and to fix the compensation of such assistant.

Passes its second and third readings and is ordered enrolled.

H. B. 1266, a bill to fix the compensation of the county attorney for the county of Harnett.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1272, a bill to place the clerk of the Superior Court, the Register of deeds and the Judge of the recorder's court of Harnett County on a salary and to fix the compensation of said officers.

Passes its second and third readings and is ordered enrolled.

#### CONFERENCE REPORT

Senator Hill for the conferees appointed to consider the differences arising upon S. B. 115, a bill to amend chapter 21 of Consolidated Statutes 1919, to make more effective the regulation of public utilities, submits the following report.



REPORT OF THE HOUSE CONFERENCE COMMITTEE ON SENATE BILL NO. 115, RELATIVE  
TO THE REGULATION OF PUBLIC UTILITIES

*Mr. Speaker:*

The Committee of Conferees on the disagreeing votes of the two houses on the amendments of the House to Senate Bill No. 115, relative to the regulation of public utilities, having met, after full and free conference, have agreed to recommend, and do recommend, to their respective houses as follows:

1. That the House recede from Amendment No. 1, reading as follows: "Amend S. B. 115 by adding the following:

"34-A. That said court shall fix a schedule of prices or rates for gas, electricity and telephone, which shall not be changed except upon order of said Court, which shall yield a return of not to exceed eight per centum per annum on the cost of the plant, as may be determined from time to time by order of said Court, after payment of all operating expenses, interest on the outstanding debts, the requirements of serial debts, and reasonable depreciation of said plant, provided, however, that in fixing such prices the Court shall take into consideration any indebtedness upon said plant not to exceed the value thereof, to the end that actual valuations and not stock manipulators shall control, and duplicate credits shall not be allowed in ascertaining the valuations which said return of eight per centum per annum shall be allowed.

"34-B. That in addition to the powers hereby conferred said Court shall have jurisdiction to inquire into, investigate, determine and regulate the financial structure of any public utility and/or its subsidiary and auxiliaries, and upon a determination that the financial structure of any such public utility and/or its subsidiary or auxiliary is so arranged as to prejudicially affect the public, said Court shall enter an order requiring the termination of such prejudicial structure, and upon a failure to timely so to do, said Court may enter an order terminating the license or franchise of such public utility."

2. That the Senate concur in the amendment reading as follows:

Section 21, change "60 days" to "30 days" in both places.

Insert a new section as No. 28:

"Section 28. If a commission or other agency or agencies is empowered by another state to regulate and control the amount and character of securities to be issued by any public utility within such other State, then the Corporation Commission of the State of North Carolina shall have the power to agree with such commission or other agency or agencies of such other State on the issue of stocks, bonds, notes or other evidences of indebtedness by a public utility owning or operating a public utility both in such State and in this State, and shall have the power to approve such issue jointly with such commission or other agency or agencies and to issue joint certificate of such approval; provided, however, that no such joint approval shall be required in order to express the consent to an approval of such issue by

the State of North Carolina if said issue is separately approved by the Corporation Commission of the State of North Carolina."

Change the numbers of sections 28 to 37 inclusive to 29 to 38 inclusive.

Committee Amendment.

(signed) HOUSE CONFERENCE COMMITTEE.

J. C. SMITH,  
EMERSON SCARBOROUGH,  
R. O. EVERETT,  
L. T. HARTSELL, JR.,  
JOHN SPRUNT HILL.

Upon motion of Senator Hill, the Senate adopts the Conference Report and a message is ordered sent to the House of Representatives informing that Body of such action.

Upon motion of Senator Kirkpatrick, H. B. 1323, a bill to regulate the sale of lubricating oil, benzine, naphtha, gasoline and other products by wholesale in Mecklenburg County, is taken from the Calendar and referred to the Committee on Judiciary No. 2.

Upon motion of Senator MacLean, the rules are suspended in order that he may be allowed to make a motion on Tuesday to reconsider the vote by which S. B. 419, a bill to create and establish a State fund for the purpose of providing insurance for employers subject to the Workmen's Compensation Act, to provide for the administering of said fund and to amend chapter 120, Public Laws 1929, failed to pass its third reading.

Upon motion of Senator Greene, S. B. 469, a bill to authorize the board of county commissioners of Mitchell County to levy special taxes for jail fees and court expenses, is ordered recalled from the House of Representatives.

Upon motion of Senator Hinsdale, H. B. 1289, a bill to prohibit the manufacture or sale of beer or wine in French's Creek Township, Bladen County, is taken from the unfavorable Calendar and re-referred to the Committee on Judiciary No. 1.

Upon motion of Senator Griffin of Franklin, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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### NINETY-THIRD DAY

SENATE CHAMBER,

FRIDAY, April 21, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. W. Gilliam, member of the House of Representatives.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.



## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hinsdale, for the Committee on Judiciary No. 1:

H. B. 1049, a bill to amend chapter 27, sub-chapter 4, articles 18, 21 and 23 of the Consolidated Statutes and amendments thereto relating to municipal recorder's courts to extend the criminal and civil jurisdiction of the recorder's court of Wendell to include all of Marks Creek Township and Saint Matthews Township, in Wake County, and to provide for the election of the recorder of said county, with a favorable report.

H. B. 782, a bill reducing the salaries of certain officers of Wake County, with a favorable report as amended.

By Senator Walker, for the Committee on Election Laws:

S. B. 470, a bill to amend the primary law for Mitchell County regarding second primaries, with a favorable report.

H. B. 633, a bill to amend 5965 to 5968, inclusive, of the Consolidated Statutes exempting Davie County from the absentee voters law, with an unfavorable report.

H. B. 795, a bill to amend 5960 to 5968, inclusive of Consolidated Statutes exempting Wilkes County from the absentee voters law, with an unfavorable report.

By Senator McDuffee, for the Committee on Propositions and Grievances:

H. B. 1184, a bill relative to damage done by dogs in Surry County, with a favorable report.

H. B. 786, a bill to regulate the operation of dance and recreation halls in Buncombe County, with a favorable report as amended.

H. B. 981, a bill to repeal chapter 20, Public-Local Laws of 1927, relating to the sale and transportation of fireworks in Jackson County, with a favorable report.

H. B. 1027, a bill to make the provisions of section 1864 of Volume III of the Consolidated Statutes, relating to depredations of domestic fowls, applicable to Columbus County, with a favorable report.

H. B. 1111, a bill relating to the use of profane language on the public highways of Gates County, with a favorable report.

By Senator Burgin, for the Committee on Conservation and Development:

H. B. 1129, a bill to repeal chapter 61, Private Laws of 1923, entitled "An act to provide for a commission to operate public utilities supplying water or lights to the citizens of the town of Graham," with an unfavorable report.

H. B. 1002, a bill to coördinate the activities of State Departments in maintenance of the sanitary quality and economic utility of North Carolina water courses, with an unfavorable report.

By Senator Grady, for the Committee on Judiciary No. 2:

S. B. 553, a bill to provide the regulation of peddlers in the city of Charlotte, North Carolina, with a favorable report.

H. B. 1268, a bill to amend chapter 95 of the Private Laws of 1927, relative to pensioning the disabled and superannuated policemen of the city of Asheville and their widows, with a favorable report.

H. B. 1228, a bill to validate the acts of certain justices of the peace in Macon County, with a favorable report.

H. B. 1287, a bill supplemental to and amendatory of Senate Bill 135, entitled "An act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933, with a favorable report.

H. B. 1267, a bill to prevent drunkenness and disorderly conduct in public places in Orange County, with a favorable report.

H. B. 1225, a bill to repeal section 5 of chapter 691 of the Public-Local Laws of 1915, relative to fees for serving summons and other processes in Louisburg Township, Franklin County, with a favorable report.

By Senator Long, for the Committee on Public Health:

H. B. 1324, a bill to regulate the sanitary conditions of seine beaches in Beaufort County, with a favorable report.

By Senator Fuller, for the Committee on Game Laws:

S. B. 539, a bill to prohibit the taking of mink, muskrat, raccoon, opossum and otter in Northampton County for a period of two years, with a favorable report.

H. B. 134, a bill to amend section 1 of chapter 471 of the Public-Local Laws of 1931, relating to fees paid ex-officio game wardens in Buncombe County, applicable also to Madison County, with a favorable report.

H. B. 1065, a bill to regulate fox hunting in Macon County, with a favorable report.

H. B. 1222, a bill to amend chapter 282, Public-Local Laws, session 1919, relating to foxes in Granville County, with a favorable report.

By Senator Hanes, for the Committee on Insurance:

S. B. 317, a bill to amend chapter 279, Public Laws, 1931, the same being "An act to provide for the regulation of workmen's compensation insurance rates," with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Bailey: S. R. 581, a joint resolution authorizing the Secretary of State to have the enrolled and ratified acts and resolutions of sessions of General Assembly, 1931 and 1933, bound in usual form.

Referred to Committee on Appropriations.

By Senator Hanes: S. B. 582, a bill to permit the deposit of moneys of the State, county, city, town or political subdivision of the State, in certain qualified banks, without the deposit by such banks of depository bonds or security.

Referred to Committee on Banks and Banking.

By Senator Bland, by request: S. B. 583, a bill to allow E. T. Watson, a justice of the peace of Brogden Township, Wayne County, and a duly licensed attorney-at-law of North Carolina, to practice law except in those



matters with which he may be, or may have been connected as such justice of the peace.

Referred to Committee on Judiciary No. 1.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 120, a bill to raise revenue.

Referred to Committee on Finance.

H. B. 656, a bill to permit the fishing with more than one hook, line and pole, but not more than three, at the same time in the water courses of Durham County.

Upon motion of Senator Hill, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1142, a bill limiting the boards of education to a membership of three.

Referred to Committee on Education.

H. B. 1269, a bill to repeal Senate Bill 158, the same being "A bill to be entitled an act providing for the inspection of meats and meat market in the village of Haw River, in Alamance County," ratified February 20, 1933.

Referred to Committee on Propositions and Grievances.

H. B. 1296, a bill to postpone tax sales in Yancey County.

Referred to Committee on Finance.

H. B. 1322, a bill to authorize and empower the board of commissioners of Ashe County to levy taxes for debt service in proportion of the ability of the taxpayers to pay.

Placed upon the Calendar.

H. B. 1297, a bill to amend Senate Bill 180 of the session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said act.

Referred to Committee on Finance.

H. B. 1339, a bill to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the western division, eleventh district, so as to fix the terms of court for Forsyth County.

Placed upon the Calendar.

H. B. 1342, a bill to provide for the nomination of the officers of the town of Benson, Johnston County, by a primary instead of by a convention.

Referred to Committee on Election Laws.

H. B. 1343, a bill to repeal Senate Bill 466, ratified April 3, 1933, entitled "An act to regulate the sale of milk bottles and containers in Mecklenburg County."

Referred to Committee on Judiciary No. 2.

H. B. 1346, a bill to amend sections 1260 and 1276 of the Consolidated Statutes by including Haywood County within the provisions of said sections.

Referred to Committee on Judiciary No. 1.

H. B. 1357, a bill to validate tax sales in Chatham County.

Placed upon the Calendar.

H. B. 1374, a bill relative to the courts in Mitchell and Avery Counties.

Upon motion of Senator Greene, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1354, a bill to legalize the transportation and delivery of beer, lager beer, ale, porter, fruit juices and other brewed and/or fermented beverages containing not more than 3.2 per cent of alcohol by weight, or such other percentage as may conform to any act of the Congress of the United States, and to amend S. B. 558, Acts of 1933, entitled "An act to allow the shipment and storage of legalized beverages in the State of North Carolina."

Upon motion of Senator Waynick, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,

THURSDAY, April 20, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House has adopted the Conference Report on S. B. 115, title, "relative to the regulation of public utilities," and this report is sent to your Body, to the end that when you adopt a similar report you may order the bill enrolled.

Respectfully,

THAD EURE,

*Principal Clerk.*

The bill is ordered enrolled.

#### ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 483, an act to authorize the trustees of the University to construct and finance an athletic stadium for North Carolina State College out of funds other than general revenues of the State.

H. B. 837, an act to repeal certain sections of chapter 64, Public-Local Laws of North Carolina, session 1931, relating to publication of legal advertisements.

S. B. 545, an act to amend chapter 343, Private Laws of North Carolina, section 31 and sub-section "C" thereof, relating to the primaries of the town of Lumberton.

H. B. 1159, an act relating to building inspection fees in Lenoir County.

H. B. 1252, an act to permit donors to prescribe the salaries of employees assigned to certain duties in certain State Departments or Agencies which employees are supported by such donors and whose salaries are entirely derived by donations to be used for that particular purpose and no other.

H. B. 1264, an act to fix the compensation of the board of commissioners of Harnett County, and to require a publication of expenditures by said board.



H. B. 1265, an act to fix the compensation of the auditor for the county of Harnett and to provide for an assistant auditor and to fix the compensation of such assistant.

H. B. 1272, an act to place the clerk of the Superior Court, the register of deeds and the judge of the recorder's court of Harnett County on a salary and to fix the compensation of the said officers.

H. B. 1282, an act to validate the acts of E. D. Gooch as a justice of the peace in and for Granville County.

H. B. 1337, an act to authorize and fix attorneys' fees in connection with tax foreclosure proceedings and/or suits.

H. B. 1338, an act to allow the counties, municipalities and other governing agencies to refund tax sales certificates.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 551, a bill to authorize the board of county commissioners of Mecklenburg County to levy additional tax for the support and maintenance of the county tubercular hospital, upon second reading.

The bill passes second reading, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Bell, Blackstock, Bland, Boggan, Burgin, Clark, Clement, Corey, Cross, Dempsey, Eflrd, Francis, Fuller, Grady, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Joyner, Land, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Walker, Waynick—35.

S. B. 449, a bill amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local Tax School District and defining its powers and duties," for concurrence in the House substitute.

Upon motion of Senator Blackstock, the Senate adopts the House substitute and the bill takes its place upon the second reading roll call Calendar tomorrow.

H. B. 1098, a bill to amend chapter 342, Private Laws of 1901, relating to Scotland Neck, upon second reading.

The bill passes second reading, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Bell, Blackstock, Bland, Boggan, Burgin, Clark, Clement, Corey, Cross, Dempsey, Eflrd, Francis, Fuller, Grady, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Joyner, Land, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Walker, Waynick—35.

S. B. 517, a bill to empower the board of county commissioners of Iredell County to abolish the office of treasurer and to create the office of tax collector, and to fix and regulate the salaries of officers of Iredell County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 559, a bill to amend chapter 318, Public-Local Laws of 1931, for the relief of Iredell-Rowan County Drainage District Number 1.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 572, a bill fixing the fees of jurors in Clay and Macon Counties.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 618, a bill to authorize the board of commissioners of Buncombe County to refund certain license taxes erroneously collected.

Passes its second and third readings and is ordered enrolled.

H. B. 978, a bill to authorize the board of commissioners of Lenoir County to fix the salaries of the county officers of Lenoir County.

Passes its second and third readings and is ordered enrolled.

H. B. 995, a bill fixing the salary as a coroner of Johnston County.

Passes its second and third readings and is ordered enrolled.

H. B. 1019, a bill to regulate the salaries of public officials in Transylvania County and for other purposes.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1028, a bill to regulate the compensation of the sheriff of Brunswick County with reference to tax suits.

Passes its second and third readings and is ordered enrolled.

H. B. 1095, a bill for the relief of the sheriffs and tax collectors in the collection of drainage assessments in Alexander County.

Passes its second and third readings and is ordered enrolled.

H. B. 1199, a bill to relieve church property in the town of Whitakers, in the counties of Edgecombe and Nash, from all street or sidewalk paving assessments when approved by a majority of the voters.

Passes its second and third readings and is ordered enrolled.

H. B. 1229, a bill to provide for the suspension of the levy and collection of special school taxes in Iotla School District, Macon County, for a period of two years.

Passes its second and third readings and is ordered enrolled.

H. B. 1230, a bill abolishing tax penalties in Macon County.

Passes its second and third readings and is ordered enrolled.

H. B. 1286, a bill to authorize the board of education of Buncombe County to pay to Mrs. Helen Creasemen Whittemore for services rendered in the years 1931-1932.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1310, a bill to amend H. B. 158, entitled "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified the 13th day of March, 1933, so as to permit Cleveland County to be exempted from said act,



to extend the time for bringing tax foreclosure suits and to simplify the method of foreclosing said certificates in Cleveland County.

Passes its second and third readings and is ordered enrolled.

H. B. 1339, a bill to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the western division, eleventh district, so as to fix the terms of court for Forsyth County.

Passes its second and third readings and is ordered enrolled.

H. B. 1243, a bill to promote the listing and collection of taxes on unlisted property in Wake County.

Passes its second and third readings and is ordered enrolled.

H. B. 1259, a bill to repeal chapter 273 of Public-Local Laws of 1931, relating to certain public funds in Currituck County.

Passes its second and third readings and is ordered enrolled.

H. B. 1283, a bill supplemental to S. B. 180, the same being "An act to allow the counties, municipalities and other governing agencies to refund tax certificates," ratified March 27, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1285, a bill to allow the commissioners of Henderson County to accept bonds in payment of certain taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 945, a bill providing for certain special tax in Jackson County, applicable also to the counties of Alamance, Alleghany, Currituck, Graham, Jones, McDowell and Tyrrell, upon second reading.

The bill passes second reading, ayes 38, noes 1, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Boggan, Burgin, Clark, Clement, Corey, Cross, Dempsey, Efird, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Walker, Waynick—38.

Those voting in the negative are: Senator Francis—1.

H. B. 538, a bill to further regulate the manufacture, sale, inspection and distribution of commercial fertilizer and fertilizer materials in the State of North Carolina and fixing additional requirements governing manufacturers, manipulators, jobbers and dealers; and further provide a penalty for the punishment of violations of the fertilizer laws; to provide for penalties to be paid by manufacturers and manipulators of fertilizers in certain cases; to authorize the Commissioner of Agriculture to collect such penalties; to extend the Commissioner's authority in inspecting fertilizer, and for other purposes, upon second reading.

The bill passes second reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Bell, Blackburn, Blackstock, Bland, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Efird, Francis, Fuller, Grady, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Walker, Waynick—41.

S. B. 477, a bill fixing the venue of civil actions for the foreclosure of liens and chattel mortgages.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 523, a bill to amend section 1136 of the Consolidated Statutes to provide for the filing of annual reports, other than tax reports, of domestic and foreign corporations doing business in this State, and to provide a fee for the same.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 527, a bill to amend section 867 of the Consolidated Statutes of 1919, relating to the writ of mandamus and its issuance in cases of counties, cities and other political subdivisions.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 544, a bill to amend S. B. 180, Public Laws, 1933, ratified on the 27th day of March, 1933, being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates."

Senator Corey offers an amendment.

Senator Grady offers an amendment.

Upon motion of Senator MacLean, the bill with pending amendments is re-referred to the Committee on Judiciary No. 1.

S. B. 549, a bill to provide for instruction in thrift and saving in the public schools of the State.

Senator Waynick offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 548, a bill to incorporate the North Carolina State Thrift Society.

The amendment offered by the Committee is adopted.

Senator Hanes offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 554, a bill safeguarding life and property by prohibiting the sale, disposal of by gift or as premiums of certain electrical materials, devices, appliances and equipment unless such electrical materials, devices, appliances and equipment are in conformity with approved methods of construction for safety to life and property.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 1107, a bill to amend section 2187 of the Consolidated Statutes, relating to the procedure to compel guardians to account, also amend chapter 9, section 2, Public Laws 1929.

The amendment offered by the Committee is adopted.



The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 525, a bill to provide for and regulate the manufacture, transportation and sale of certain beverages, upon second reading.

Senator Boggan offers an amendment which is withdrawn.

The bill passes second reading, ayes 38, noes 2, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Blackstock, Bland, Burgin, Clark, Clement, Corey, Cross, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Patton, Rankin, Sparger, Summersill, Walker, Waynick—38.

Those voting in the negative are: Senators Bell, Noell—2.

Senator Boggan answers "present."

Upon motion of Senator Hinsdale, S. B. 541, a bill to provide for the insuring of school properties in North Carolina, is taken from the Committee on Education and referred to the Committee on Insurance.

Upon motion of Senator Francis, S. B. 576, a bill to repeal H. B. 1321, session 1933, ratified the 18th of April, 1933, which provided for persons having deposits in closed banks in Buncombe County to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchaser may owe to such closed banks, is taken from the Committee on Banks and Banking and placed upon the Calendar.

Senator Francis moves that H. B. 120, a bill to raise revenue, be taken from the Committee on Finance and placed upon the Calendar.

The motion fails to prevail.

Upon motion of Senator Aiken, the Senate adjourns to meet tomorrow morning at 10:00 o'clock at which time only Public-Local Bills are to be considered, and that when the Senate adjourn tomorrow, it adjourn to meet Monday at 12:00 o'clock M.

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## NINETY-FOURTH DAY

SENATE CHAMBER,

SATURDAY, April 22, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. R. K. Davenport, Vanguard Presbyterian Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

S. B. 542, a bill to transfer the office of superintendent of weights and measures to the department to be known as the office of utilities commissioner and to otherwise amend chapter 261 Public Laws of 1927, with an unfavorable report.

S. B. 538, a bill to amend chapter 261 of Public Laws of 1927, relating to weights and measures, with an unfavorable report.

S. B. 580, a bill to amend chapter 83, Public Laws 1931, relating to the release of land upon payment of tax on each particular piece and to provide for subrogation and contribution to those paying taxes on lands of others, with a favorable report.

S. R. 416, a resolution of the Senate of North Carolina, relating to the salaries of school teachers and employees in the various State departments, reported without prejudice.

H. B. 120, a bill to raise revenue, with a favorable report as amended.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hinsdale: S. B. 584, a bill to amend chapter 110, article 4, of Consolidated Statutes of 1919, relating to the practice of optometry.

Referred to Committee on Judiciary No. 1.

By Senator Aiken: S. B. 585, a bill to amend an act entitled "An act to allow the counties and other governing agencies to refund tax sales certificates," ratified March 27, 1933, which amendment relates only to Catawba County.

Upon motion of Senator Aiken, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator McDuffee: S. B. 586, a bill to abolish hunting and fishing licenses in Vance County.

Placed upon the Calendar.

By Senator Bell: S. B. 587, a bill to repeal Senate Bill 149, ratified February 28, 1933, entitled "An act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River, in Henderson County."

Placed upon the Calendar.

By Senator Hinsdale: S. B. 588, a bill to authorize the committeemen of Green Hope High School District, Wake County, to use unexpended funds derived from special school taxes in past years.

Upon motion of Senator Hinsdale, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.



By Senator Francis: S. B. 589, a bill to allow persons in Haywood, Henderson, Transylvania, Cherokee and Macon Counties to come under the provisions of House Bill No. 1321 of the 1933 session of the General Assembly of North Carolina, relating to payment of debts and other obligations.

Placed upon the Calendar.

By Senator Bell: S. B. 590, a bill relative to the recorder's court of Henderson County and to amend chapter 262, Public-Local Laws of 1931.

Referred to Committee on Courts and Judicial Districts.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 635, a bill to regulate the hunting of foxes and/or other wild animals in Madison County.

Referred to Committee on Game Laws.

H. B. 853, a bill to provide conditions under which a farm agent or farm demonstrator may be employed.

Referred to Committee on Counties, Cities and Towns.

H. B. 1187, a bill to protect the citizens of North Carolina in the use and enjoyment of certain public waters in Carteret County.

Referred to Committee on Fish and Fisheries.

H. B. 1250, a bill to regulate the building of dams across creeks, bays and river estuaries. (Applicable only to Carteret County.)

Referred to Committee on Judiciary No. 2.

H. B. 1290, a bill to amend chapter 59 of the Private Laws of 1931 and chapter 208 of the Private Laws of 1927, relating to the salary of the mayor of the town of Warsaw in Duplin County.

Upon motion of Senator Barker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1294, a bill regulating the salaries of the sheriff, register of deeds, clerk of the court and other officers of Sampson County.

Referred to Committee on Salaries and Fees.

H. B. 1303, a bill to amend section 5337 of the Consolidated Statutes in regard to appointing drainage commissioners for Davidson Creek Drainage District in Iredell County.

Referred to Committee on Counties, Cities and Towns.

H. B. 1313, a bill to protect vendors of personal property upon installment payment plan. (Applies to Wake County only.)

Referred to Committee on Judiciary No. 1.

H. B. 1314, a bill to authorize the issuance of scrip by Currituck County.

Referred to Committee on Finance.

H. B. 1316, a bill to amend H. B. 763, Public-Local Laws of 1933, ratified March 20, 1933, reducing the salary of the clerk of the Superior Court of Franklin County.

Referred to Committee on Salaries and Fees.

H. B. 1319, a bill to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities or other governing agencies to refund tax sales certificates," ratified 27th of March, 1933, so as to exempt Sampson County.

Referred to Committee on Judiciary No. 1.

H. B. 1320, a bill regulating the collection of delinquent taxes in Sampson County.

Referred to Committee on Finance.

H. B. 1325, a bill to amend chapter 576 of the Public-Local Laws of 1919, relative to fees of the clerk of the Superior Court of Guilford County.

Referred to Committee on Salaries and Fees.

H. B. 1327, a bill to allow the commissioners of the town of Hendersonville to accept bonds and/or notes in payment of certain taxes.

Referred to Committee on Finance.

H. B. 1328, a bill to protect pheasants in the county of Iredell.

Referred to Committee on Game Laws.

H. B. 1329, a bill to amend chapter 205, Private Laws of 1929, relating to the corporate limits of the city of Asheville.

Referred to Committee on Counties, Cities and Towns.

H. B. 1334, a bill relating to the remission of penalties on 1932 taxes in Pitt County.

Referred to Committee on Finance.

H. B. 1345, a bill regulating fishing in Lake Lure, Chimney Rock Township, Rutherford County, North Carolina.

Referred to Committee on Fish and Fisheries.

H. B. 1348, a bill to empower the board of aldermen of the city of Rocky Mount to relieve churches of paving assessments.

Referred to Committee on Finance.

H. B. 1349, a bill to amend chapter 149, Private Laws of 1931, being "An act providing for the appointment of a school board for the Asheville Local Tax School District and defining its powers and duties."

Referred to Committee on Education.

H. B. 1353, a bill to abolish the office of the treasurer of McDowell County, North Carolina, and to regulate the fees and salaries of officers of said county.

Referred to Committee on Salaries and Fees.

H. B. 1355, a bill to authorize the creation of the office of tax collector for the county of Alamance.

Referred to Committee on Finance.

H. B. 1356, a bill to fix the compensation of the county commissioners of Alamance County.

Referred to Committee on Salaries and Fees.

H. B. 1358, a bill for the relief of the sheriff of Surry County, and to provide for the sale of real estate for unpaid taxes of the years 1930 and 1931.

Referred to Committee on Finance.

H. B. 1359, a bill to empower the board of commissioners of Surry County, in their discretion, to postpone the sale of real estate for 1932 taxes to December 1, 1933.

Referred to Committee on Finance.



H. B. 1362, a bill to amend section 1443 of the Consolidated Statutes, relative to the courts of Hoke County.

Referred to Committee on Courts and Judicial Districts.

H. B. 1364, a bill to fix the salary of the clerk of the Superior Court of Columbus County.

Referred to Committee on Salaries and Fees.

H. B. 1365, a bill to fix the salary of the register of deeds of Columbus County.

Referred to Committee on Salaries and Fees.

H. B. 1366, a bill relating to teachers of vocational education in Columbus County.

Referred to Committee on Education.

H. B. 1367, a bill to repeal certain provisions of section 1681, of the Consolidated Statutes, relating to compensation for damages done by dogs in Columbus County.

Referred to Committee on Counties, Cities and Towns.

H. B. 1368, a bill to amend chapter 454 of the Public-Local Laws of 1931, relating to the duties of the clerk of the recorder's court of Cleveland County.

Referred to Committee on Judiciary No. 1.

H. B. 1369, a bill to authorize and empower the board of commissioners of the town of Morehead City to extend the time for the payment of special assessments for local improvements.

Referred to Committee on Finance.

H. B. 1371, a bill to permit the aldermen of the town of Bryson City to make agreements relative to town funds on deposit in the Bryson City Bank.

Referred to Committee on Finance.

H. B. 1377, a bill to amend section 4 of chapter 25 of the Public-Local Laws of 1919, relating to collection of taxes in Gates County.

Referred to Committee on Finance.

S. B. 552, a bill to preserve and make more secure the charter rights of Davidson College and its citizenship and student body in relation to the sale of beer, spiritus frumenti or other intoxicants, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 526, a bill to amend Finance Committee substitute bill for Senate Bill No. 10, the same being "An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities," ratified the 30th day of April, 1933, for concurrence in the House amendment.

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES,  
April 21, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with request to return House Bill No. 1142, title "to limit members of boards of education to a membership of three, for further consideration by the House of Representatives.

Respectfully,

THAD EURE,

*Clerk of the House.*

Upon motion of Senator Waynick, the bill is ordered returned to the House of Representatives.

HOUSE OF REPRESENTATIVES,  
April 21, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that, pursuant to your request, we are returning herewith Senate Bill No. 469, for further consideration by your Body.

Respectfully,

THAD EURE,

*Clerk of the House.*

Placed upon the Calendar.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 1354, an act to legalize the transportation and delivery of beer, lager beer, ale, porter, fruit juices and other brewed and/or fermented beverages, containing not more than 3.2 per cent of alcohol by weight, or such other percentage as may conform to any act of the Congress of the United States, and to amend Senate Bill No. 558, acts of 1933, entitled "An act to allow the shipment and storage of legalized beverages in the State of North Carolina."

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 134, a bill to amend section 11 of chapter 471 of the Public-Local Laws of 1931, relating to fees paid ex-officio game wardens in Buncombe County. (Applicable also to Madison County.)

Passes its second and third readings and is ordered enrolled.

H. B. 1027, a bill to make the provisions of section 1864 of Volume III of the Consolidated Statutes, relating to depredations of domestic fowls, applicable to Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 1065, a bill to regulate fox hunting in Macon County.

Passes its second and third readings and is ordered enrolled.

H. B. 1111, a bill relating to the use of profane language on public highways of Gates County.

Passes its second and third readings and is ordered enrolled.

H. B. 1184, a bill relative to damage done by dogs in Surry County.

Passes its second and third readings and is ordered enrolled.

H. B. 1222, a bill to amend chapter 282, Public-Local Laws, session 1919, relating to foxes in Granville County.

Passes its second and third readings and is ordered enrolled.

H. B. 1228, a bill to validate the acts of certain justices of the peace in Macon County.

Passes its second and third readings and is ordered enrolled.



H. B. 1267, a bill to prevent drunkenness and disorderly conduct in public places in Orange County.

Passes its second and third readings and is ordered enrolled.

H. B. 1268, a bill to amend chapter 95 of the Private Laws of 1927, relative to pensioning the disabled and superannuated policemen of the city of Asheville and their widows.

Senator Blackstock offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1287, a bill supplemental to and amendatory of Senate Bill No. 135, entitled "An act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1324, a bill to regulate the sanitary conditions of seine beaches in Beaufort County.

Passes its second and third readings and is ordered enrolled.

H. B. 1357, a bill to validate tax sales in Chatham County.

Passes its second and third readings and is ordered enrolled.

H. B. 981, a bill to repeal chapter 20, Public-Local Laws of 1927, relating to the sale and transportation of fireworks in Jackson County.

Passes its second and third readings and is ordered enrolled.

H. B. 782, a bill reducing the salaries of certain officers of Wake County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1049, a bill to amend chapter 27, sub-chapter 4, articles 18, 21 and 23 of the Consolidated Statutes and amendments thereto, relating to municipal recorder's courts to extend the criminal and civil jurisdiction of the recorder's court of Wendell to include all of Marks Creek Township and Saint Matthews Township, in Wake County, and to provide for the election of the recorder of said court.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Hingsdale, the Senate adjourns to meet Monday at 12:00 o'clock M.

## NINETY-FIFTH DAY

SENATE CHAMBER,  
MONDAY, April 24, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. S. Farmer of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 931, a bill to regulate charges made by the city of Asheville for water consumed in Buncombe County water districts, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator Hill, for the Committee on Banks and Banking:

S. B. 582, a bill to permit the deposit of moneys of the State, county, city, town or political subdivision of the State, in certain qualified banks, without the deposit by such banks of depository bonds or security, with a favorable report.

## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives:

S. B. 548, a bill to incorporate the North Carolina State Thrift Society.

S. B. 527, a bill to amend section 867 of the Consolidated Statutes of 1919, relating to the writ of mandamus and its issuance in cases of counties, cities and other political subdivisions.

S. B. 477, a bill fixing the venue of civil actions for the foreclosure of liens and chattel mortgages.

S. B. 549, a bill to provide for instruction in thrift and saving in the public schools of the State.

S. B. 523, a bill to amend section 1136 of the Consolidated Statutes to provide for the filing of annual reports (other than tax reports of domestic and foreign corporations doing business in this State), and to provide a fee for the same.

S. B. 554, a bill safeguarding life and property by prohibiting the sale, disposal of by gift or as premiums of certain electrical materials, devices, appliances and equipment, unless such electrical materials, devices, appliances and equipment are in conformity with approved methods of construction for safety to life and property.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Dunagan: S. B. 591, a bill to allow persons having deposits in closed banks in Rutherford County to sell same and to permit purchasers to apply such deposits in payment of debts or obligations which such, etc. Placed upon the Calendar.

By Senator Bell: S. B. 592, a bill to amend chapter 143, Public Laws of 1931, allowing hunting and killing of foxes at any time in Henderson County. Referred to Committee on Game Laws.



By Senator Hairfield: S. B. 593, a bill to amend the charter of the town of Morganton providing for payment of taxes in partial or installment payments.

Placed upon the Calendar.

By Senator Clement: S. B. 594, a bill to clarify and/or amend the appropriations act of 1933, H. B. 125, and to authorize certain transfers and allotments under certain appropriations under chapter 429 of the Public Laws of 1931.

Referred to Committee on Finance.

By Senator McDuffee: S. B. 595, a bill to amend section 2583 of the Consolidated Statutes of 1919, Volume I.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1382, a bill to allow public institutions to repay certain excessive charges made in Cherokee County.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 380, an act to amend chapter 2532, Consolidated Statutes of North Carolina, relating to tolls by public mills in Pender County.

S. B. 425, an act relating to election of school teachers in Cherokee, Clay, Graham, Macon and Swain Counties.

S. B. 429, an act for the relief of J. F. Martin, former sheriff of Anson County.

S. B. 433, an act to validate chapter 180, Public Laws of 1925, and all amendments thereto, and to validate all acts of county boards of education and boards of county commissioners pursuant to said chapter, relating to the assumption of school district debt by counties.

S. B. 451, an act allowing and directing the tax collecting authorities of the city of Asheboro to accept bonds in the payment of street assessments and certain taxes.

S. B. 476, an act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions.

S. B. 532, an act to amend chapter 51, Private Laws, Extra Session 1913, and to authorize and empower the board of commissioners of the town of Rowland to extend the time of payment of street and sidewalk assessments.

S. B. 537, an act relating to the revaluation of property in Vance County.

S. B. 540, an act relating to the extension of time for payment of special assessments levied by the city of Concord.

S. B. 561, an act to amend H. B. 747, being "An act to amend chapter 35 of the Public Laws of North Carolina, session 1931, relating to certain claims paid by the board of county commissioners of Cherokee County."

S. B. 566, an act to authorize the county commissioners of Bladen County to make regulations for the prevention of hydrophobia in Bladen County.

S. B. 567, an act to amend H. B. 507, entitled "An act to authorize, empower and direct the sheriff and/or tax collector of Bladen County to accept county vouchers in payment of taxes," ratified February 28th, 1933.

H. B. 618, an act to authorize the board of commissioners of Buncombe County to refund certain license taxes erroneously collected.

H. B. 656, an act to permit the fishing with more than one hook, line and pole, but not more than three, at the same time in the water courses of Durham County.

H. B. 802, an act to amend chapter 448 of the Public Laws of 1931, relating to cartways, so as to include neighborhood public roads.

H. B. 919, an act to amend section 220 (a), Consolidated Statutes of North Carolina, Volume III, 1919, as amended, to limit the powers of banking corporations.

H. B. 978, an act to authorize the board of commissioners of Lenoir County to fix the salaries of the county officers of Lenoir County.

H. B. 995, an act fixing the salary as a coroner of Johnston County.

H. B. 1028, an act to regulate the compensation of the sheriff of Brunswick County with reference to tax suits.

H. B. 1095, an act for the relief of the sheriffs and tax collectors in the collection of drainage assessments in Alexander County.

H. B. 1199, an act to relieve church property in the town of Whitakers in the counties of Edgecombe and Nash, and Ahoskie in Hertford County, from all street or sidewalk paving assessments, when approved by a majority of the voters.

H. B. 1211, an act to change the incorporated boundaries of the town of Whiteville, in Columbus County.

H. B. 1229, an act to provide for the suspension of the levy and collection of special school taxes in Iotla School District, Macon County, for a period of two years.

H. B. 1230, an act abolishing tax penalties in Macon County.

H. B. 1243, an act to promote the listing and collection of taxes on unlisted property in Wake County.

H. B. 1285, an act to allow the commissioners of Henderson County to accept bonds in payment of certain taxes.

H. B. 1259, an act to repeal chapter 273 of Public-Local Laws of 1931, relating to certain public funds in Currituck County.

H. B. 1283, an act supplemental to S. B. 180, the same being, "An act to allow the counties, municipalities and other governing agencies to refund tax certificates," ratified March 27th, 1933.

H. B. 1310, an act to amend H. B. 158, entitled "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified the 13th day of March, 1933, so as to permit Cleveland County to be exempted from said act, to



extend the time for bringing tax foreclosure suits, and to simplify the method of foreclosing said certificates in Cleveland County.

H. B. 1339, an act to amend section 1443 of the Consolidated Statutes, relating to the holding of courts in the western division, eleventh district, so as to fix the terms of court for Forsyth County.

S. B. 115, an act to amend chapter 21 of the Consolidated Statutes 1919, to make more effective the regulation of public utilities.

H. B. 134, an act to amend section 1 of chapter 471 of the Public-Local Laws of 1931, relating to fees paid ex-officio game wardens in Buncombe County, applicable also to Madison County.

H. B. 981, an act to repeal chapter 20, Public-Local Laws of 1927, relating to the sale and transportation of fireworks in Jackson County.

H. B. 1027, an act to make the provisions of section 1864 of Volume III of the Consolidated Statutes, relating to depredations of domestic fowls, applicable to Columbus County.

H. B. 1049, an act to amend chapter 27, sub-chapter 4, articles 18, 21 and 23 of the Consolidated Statutes and amendments thereto, relating to municipal recorder's courts to extend the criminal and civil jurisdiction of the recorder's court of Wendell, to include all of Marks Creek Township and Saint Matthews Township, in Wake County, and to provide for the election of the recorder of said court.

H. B. 1065, an act to regulate fox hunting in Macon County.

H. B. 1111, an act relating to the use of profane language on the public highways of Gates County.

H. B. 1184, an act relative to damage done by dogs in Surry County.

H. B. 1222, an act to amend chapter 282, Public-Local Laws, session 1919, relating to foxes in Granville County.

H. B. 1228, an act to validate the acts of certain justices of the peace in Macon County.

H. B. 1267, an act to prevent drunkenness and disorderly conduct in public places in Orange County.

H. B. 1286, an act to authorize the board of education of Buncombe County to pay to Mrs. Helen Creaseman Whittemore for services rendered in the years 1931-1932.

H. B. 1287, an act supplemental to and amendatory of S. B. 135, entitled "An act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933.

H. B. 1290, an act to amend chapter 59 of the Private Laws of 1931 and chapter 208 of the Private Laws of 1927, relating to the salary of the mayor of the town of Warsaw in Duplin County.

H. B. 1324, an act to regulate the sanitary conditions of seine beaches in Beaufort County.

H. B. 1357, an act to validate tax sales in Chatham County.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 557, a bill to authorize the board of county commissioners of Mecklenburg County to levy additional tax for the support and maintenance of the county tubercular hospital, upon third reading.

The bill passes third reading, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Bell, Blackburn, Blackstock, Blue, Boggan, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McBryde, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—35.

The bill is ordered sent to the House of Representatives.

H. B. 1098, a bill to amend chapter 342, Private Laws of 1901, relating to Scotland Neck, upon third reading.

The bill passes third reading, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Bell, Blackburn, Blackstock, Blue, Boggan, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McBryde, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—35.

The bill is ordered enrolled.

S. B. 449, a bill amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local Tax School District and defining its powers and duties," upon second reading.

The bill passes second reading, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Bell, Blackburn, Blackstock, Blue, Boggan, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McBryde, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—35.

H. B. 1191, a bill to authorize, empower and direct the board of commissioners of Madison County to levy special tax for the payment of certain indebtedness due to Yancey County, upon second reading.

The bill passes second reading, ayes 35, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Bell, Blackburn, Blackstock, Blue, Boggan, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, MacLean, McBryde, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—35.

H. B. 1322, a bill to authorize and empower the board of commissioners of Ashe County to levy taxes for debt service in proportion of the ability of the taxpayers to pay, upon second reading.

Senator Waynick moves that the bill be referred to the Committee on Finance.

Senator McNeill of Ashe offers a substitute motion that the bill be taken up for immediate consideration.

The substitute motion prevails.

The bill passes second reading, ayes 30, noes 3, as follows:

Those voting in the affirmative are: Senators Aiken, Barker, Bell, Blackburn, Blackstock, Blue, Boggan, Cross, Dunagan, Efird, Francis, Fuller, Grady,



Gwyn, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Sparger, Summersill—30.

Those voting in the negative are: Senators Bagley, Clement, Waynick—3.

S. B. 552, a bill to preserve and make more secure the charter rights of Davidson College and its citizenship and student body in relation to the sale of beer, spiritus frumenti, or other intoxicants, for concurrence in the House amendment.

Upon motion of Senator Kirkpatrick, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 539, a bill to prohibit the taking of mink, muskrat, raccoon, opossum and otter in Northampton County for a period of two years.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 553, a bill to provide the regulation of peddlers in the city of Charlotte, North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 587, a bill to repeal S. B. 149, ratified February 28, 1933, entitled "An act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River, in Henderson County."

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 786, a bill to regulate the operation of dance and recreation halls in Buncombe County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1041, a bill to exempt church property used exclusively for religious services and pastors residences from the payment of street paving assessments and sidewalk assessments in the town of Elkin.

Passes its second and third readings and is ordered enrolled.

S. B. 593, a bill to amend the charter of the town of Morganton, providing for payment of taxes in partial or installment payments.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 591, a bill to allow persons having deposits in closed banks in Rutherford County to sell same and to permit purchasers to apply such deposits in payment of debts or obligations which such purchasers may owe to such closed banks and to regulate the time of liquidation of closed banks.

Senator Patton offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 525, a bill to provide for and regulate the manufacture, transportation and sale of certain beverages, upon third reading.

Senator Hinsdale offers an amendment, held immaterial, which is adopted.

Senator Boggan offers an amendment which fails of adoption.

Senator McNeill of Cumberland offers an amendment, held immaterial, which is adopted.

The bill, as amended, passes third reading, ayes 38, noes 2, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Cross, Dunagan, Efird, Francis, Grady, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Summersill, Walker—38.

Those voting in the negative are: Senators Bell, Noel 2.

The bill is ordered engrossed.

S. B. 526, a bill to amend Finance Committee Substitute Bill for S. B. 10, the same being, "An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities," ratified the 3d day of April, 1933, for concurrence in the House amendment.

Upon motion of Senator Burgin, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 120, a bill to raise revenue.

Upon motion of Senator Rankin, the Senate resolves itself into the Committee of the Whole for the consideration of the bill, Senator Grady, presiding.

Upon motion of Senator Long, the Committee arises and reports progress as follows:

*Mr. President:*

Your Committee having under consideration H. B. 120, a bill to raise revenue, begs leave to report, as follows:

#### Article I.

Schedule A. That sections 1 to 21 inclusive be adopted, as written, that section 21½ be adopted, as amended. That sections 22 to 28, inclusive be adopted, as written. That the whole of Article I, as amended, be adopted.

#### Article II.

Schedule B. That sections 100, 102, 103, 104, as written, be adopted. That section 105 be left open. That sections 106 and 107 be adopted, as written. That section 108 be left open. That section 109 be left open. That sections 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, be adopted as written. That section 121, as amended, be adopted. That sections 122, 123, 124, 125, be adopted, as written. That section 126 be left open. That sections 127, 128, as written, be adopted. That section 129, as amended, be adopted. That section 130, as amended, be adopted. That section 131, as written, be adopted. That sections 132, 133, be left open. That section 134, as amended, be adopted. That section 135, as amended, be adopted. That sections 136, 137, as written, be adopted. That section 138 be left open. That sections 139, 140, 141, 142, 143, 144, 145, 146, 147, as written, be adopted.

Respectfully submitted,

SENATOR RANKIN, *for the Committee.*

Upon motion of Senator Rankin, the report of the Committee is adopted.



## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed, and they are ordered sent to the House of Representatives.

S. B. 525, a bill to provide for and regulate the manufacture, transportation and sale of certain beverages.

S. B. 591, a bill to allow persons having deposits in closed banks in Rutherford County to sell same and to permit purchasers to apply such deposits in payment of debts or obligations which such purchasers may owe to such closed banks and to regulate the time of liquidation of closed banks.

Upon motion of Senator Francis, H. B. 1374, a bill relative to courts in Mitchell and Avery Counties, is recalled from the Enrolling Office.

Upon motion of Senator Francis, the vote by which the bill passed its third reading, is reconsidered.

Upon motion of Senator Francis, the bill is laid upon the Table.

Upon motion of Senator Hinsdale, the Senate adjourns to meet tomorrow morning at 10:00 o'clock, with H. B. 120, a bill to raise revenue, a special order.

## NINETY-SIXTH DAY

SENATE CHAMBER,

TUESDAY, April 25, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. C. J. Hollandsworth, First Vanguard Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators Kemp Nixon and Francis Clarkson.

Upon motion of Senator Griffin of Franklin, H. B. 1348, a bill to empower the board of aldermen of the city of Rocky Mount to relieve churches of paving assessments, is taken from the Committee on Finance and placed upon the Calendar.

Upon motion of Senator Hinsdale, H. B. 1335, a bill to submit to the voters of the city of Raleigh the question of increasing the terms of office of the city commissioners from two to four years, is taken from the Committee on Judiciary No. 1 and placed upon the Calendar.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Long, for the Committee on Public Health:

H. B. 1054, a bill to amend chapter 169, Public Laws of 1921, relating to sanitary conditions in creameries, ice cream, butter and cheese factories, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Long: S. B. 596, a bill to amend chapter 42, Private Laws of 1931, relating to the election of school trustees for the board of school trustees of Roanoke Rapids by the qualified voters of the Roanoke Rapids Graded School District.

Upon motion of Senator Long, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Rankin: S. B. 597, a bill to amend H. B. 1338, ratified April 21, 1933, entitled "An act to allow the counties, municipalities and other governing agencies to fund tax sale certificates."

Referred to Committee on Finance.

By Senator Rankin: S. B. 598, a bill to amend H. B. 1114, ratified on March 31, 1933, entitled "An act authorizing the city of Gastonia to issue tax anticipation certificates."

Referred to Committee on Finance.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1383, a bill to amend H. B. 451, ratified March 10, 1933, by exempting Caldwell County from the provisions of the act.

Referred to Committee on Judiciary No. 1.

H. B. 1388, a bill to repeal S. B. 468, ratified April 5, 1933, so as to permit refund tax sales certificates and exemption from tax penalties in Scotland County.

Referred to Committee on Finance.

H. B. 1390, a bill to amend chapter 169 of the Public Laws of 1923, relating to the terms of court in Davidson County.

Referred to Committee on Courts and Judicial Districts.

H. B. 310, a bill to repeal sections 1786, 1787 and 1788 of the Consolidated Statutes of North Carolina, known as "Book-Debt" Statutes, and to substitute in lieu thereof a new statute.

Referred to Committee on Judiciary No. 1.

H. B. 973, a bill to amend section 109 of the Consolidated Statutes relative to final accounts and discharge of executors and administrators.

Referred to Committee on Judiciary No. 1.



H. B. 1227, a bill to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit the compensation at State expense.

Referred to Committee on Education.

H. B. 1340, a bill to incorporate the town of Cherry in Washington County.  
Placed upon the Calendar.

H. B. 1344, a bill to amend chapter 15, Private Laws 1923, relative to the charter of the city of Elizabeth City.

Referred to Committee on Counties, Cities and Towns.

H. B. 1350, a bill to release church property in the town of Boone, Watauga County, from the payment of street and sidewalk paving assessments.

Referred to Committee on Finance.

H. B. 1352, a bill providing for a special tax levy in Alexander County for special purposes.

Referred to Committee on Finance.

H. B. 1370, a bill to empower the governing body of the town of Weaverville, Buncombe County, to relieve churches of paving assessments, applicable also to the municipalities of Clyde, Canton and Hazelwood, in Haywood County.

Placed upon the Calendar.

H. B. 1375, a bill to provide for the nomination of candidates for the office of commissioners of Pasquotank County by the qualified voters of the entire county.

Referred to Committee on Counties, Cities and Towns.

H. B. 1376, a bill to amend chapter 26, Private Laws 1929, relating to the auditing of the books of the town of Vanceboro, Craven County, North Carolina.  
Referred to Committee on Finance.

H. B. 1380, a bill validating certain tax sales in the town of Columbus, Polk County, and for other purposes.

Referred to Committee on Finance.

H. B. 1381, a bill supplemental to and amendatory of H. B. 990, it being "An act to authorize the board of commissioners of Transylvania County to purchase the building known as the Brevard Banking Company in the town of Brevard," ratified March 30, 1933.

Referred to Committee on Counties, Cities and Towns.

H. B. 1391, a bill to amend S. B. 334, ratified the 27th day of March, 1933, the same being "An act amending the recorder's court of Thomasville."

Placed upon the Calendar.

H. B. 1392, a bill to provide for the redemption of property sold for taxes in Yancey County or in any municipality therein.

Referred to Committee on Finance.

H. B. 1393, a bill to regulate the license of franchise taxes on building and loan associations in Mecklenburg County.

Referred to Committee on Finance.

H. B. 1396, a bill to provide for a more efficient auditing of the books and accounts of the officers of Columbus County.

Referred to Committee on Finance.

S. B. 493, a bill for the relief of the taxpayers of Gaston, Jackson, Occoneechee and Rich Square Townships in Northampton County, for concurrence in the House amendment.

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES,

MONDAY NIGHT, April 24, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate requesting the return of H. B. 1145, title, "to make possible and provide for medical care of poor indigent sick and injured persons in Rowan and Iredell counties," for further consideration by the House.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

Upon motion of Senator Long, the bill is ordered returned to the House of Representatives.

HOUSE OF REPRESENTATIVES,

MONDAY NIGHT, April 24, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body, that the House has failed to concur in Senate amendment to H. B. 782, title "reducing the salaries of certain officers in Wake County," and asks for a conference. For your information the Speaker has appointed as conferees on the part of the House, Messrs. Womble, Douglass and O'Berry, to consider the differences arising on the bill.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators Hinsdale and Blackstock, and a message is ordered sent to the House of Representatives informing that Body of such action.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1348, a bill to empower the board of aldermen of the city of Rocky Mount to relieve churches of paving assessments.

Passes its second and third readings and is ordered enrolled.

H. B. 1335, a bill to submit to the voters of the city of Raleigh the question of increasing the terms of office of the city commissioners from two to four years.

Passes its second and third readings and is ordered enrolled.

H. B. 120, a bill to raise revenue.

Upon motion of Senator Rankin, the Senate resolves itself into a Committee of the Whole for the further consideration of the bill, Senator Grady presiding.



Upon motion of Senator Rankin, the Committee arises and reports further progress as follows:

*Mr. President:*

Your Committee having under consideration H. B. 120, a bill to raise revenue, begs leave to report as follows:

*Article II. Schedule B.*

That section 148 be left open. That section 149 as written be adopted. That section 150 as amended be adopted. That section 151 be left open. That section 152 as amended be adopted. That sections 153 and 154 as written be adopted. That section 155 be left open. That sections 156, 157, 158 and 159 as written be adopted. That sections 160 and 162 be left open.

That sections 162, 163, 166, as written be adopted. That sections 181 to 191 inclusive as written be adopted.

That section 105 hereinbefore left open be stricken out and a new section be adopted therefor.

That a new section to be numbered 101 be adopted.

That section 108, heretofore left open, as amended be adopted.

That section 126, heretofore left open, as amended be adopted.

That section 126½, heretofore left open, be adopted.

That section 109 as amended be adopted.

That sections 132 and 133 heretofore left open be adopted.

That section 138 heretofore left open as amended be adopted.

That section 148 heretofore left open be adopted.

That section 160 heretofore left open be adopted.

That section 155 heretofore left open as amended be adopted.

That section 161 heretofore left open be adopted.

That section 162 heretofore left open be adopted.

That section 157 heretofore left open as amended be adopted.

That the whole of Article II, Schedule B, with the exception of section 151, left open, as amended be adopted.

*Article III. Schedule C.*

That section 201 be adopted as written.

That section 202 as amended be adopted.

That section 203 as amended be adopted.

Respectfully submitted,

SENATOR RANKIN.

Upon motion of Senator Rankin, the report of the Committee is adopted.

Upon motion of Senator Hill, H. B. 920, a bill to amend section 220 (B), Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities of affiliated or subsidiary corporations, is recalled from the House of Representatives.

Upon motion of Senator Blue, S. B. 556, a bill to amend chapter 25 of the Private Laws of 1911, increasing the number of commissioners of the town of Ellerbe from three to five, is ordered recalled from the House of Representatives.

Upon motion of Senator MacLean, the rules are suspended in order to allow him to make a motion to reconsider the vote by which S. B. 419, a bill to create and establish a State fund for the purpose of providing insurance for employers subject to the Workmen's Compensation Act, to provide for the administering said fund, and to amend chapter 120, Public Laws 1929, failed to pass its third reading when and after S. B. 317, a bill to amend chapter 279, Public Laws 1931, the same being "An act to provide for the regulation of Workmen's Compensation Insurance Rates," is considered.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 10:30 o'clock.

### NINETY-SEVENTH DAY

SENATE CHAMBER,

WEDNESDAY, April 26, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by R. K. Davenport, North Vanguard Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Bell, H. B. 1086, a bill to authorize the commissioners of the city of Hendersonville and the board of water commissioners of the city of Hendersonville to cancel assessments against all churches of Hendersonville, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Dunagan, H. B. 1345, a bill regulating fishing in Lake Lure, Chimney Rock Township, Rutherford County, North Carolina, is taken from the Committee on Fish and Fisheries and placed upon the Calendar.

### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Grady, for the Committee on Judiciary No. 2:

H. B. 1069, a bill fixing the compensation of the clerk of court, register of deeds and sheriff of Montgomery County and the duties thereof, with an unfavorable report.

H. B. 1068, a bill to create the office of auditor of Montgomery County and to fix the compensation and duties thereof, with an unfavorable report.

H. B. 1343, a bill to repeal S. B. 466, ratified April 3, 1933, entitled "An act to regulate the sale of milk bottles and containers in Mecklenburg County," with a favorable report.

H. B. 1323, a bill to regulate the sale of lubricating oil, benzine, naphtha, gasoline and other products by wholesale in Mecklenburg County, with a favorable report.



## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Long: S. B. 599, a bill to amend S. B. 451, ratified April 24, 1933, same being entitled "An act allowing and directing the tax collecting authorities in the city of Asheville to accept bonds in the payment of street assessments and certain taxes."

Upon motion of Senator Long, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Griffin of Franklin: S. B. 600, a bill to amend section 1562 of the Consolidated Statutes, relating to concurrent jurisdiction of courts of justices of the peace and recorder's courts.

Referred to Committee on Judiciary No. 1.

By Senator Beatty: S. B. 601, a bill to amend the Machinery Act of 1933, relating to assessment of property in Bladen County.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Francis: S. R. 602, a joint resolution requesting Congress to maintain regional offices of the United States veterans administration.

Upon motion of Senator Francis, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Walker: S. B. 603, a bill to establish a system of rural electrification under State control and to provide means for the establishment and maintenance of facilities for the transportation and distribution of electric power in connection therewith.

Referred to Committee on Conservation and Development.

By Senator Clement: S. B. 604, a bill to repeal H. B. 158, Public Laws of 1933, being "An act setting up and establishing the methods, processes and proceeding by which a lien may be acquired," etc.

Placed upon the Calendar.

By Senator Ingram: S. B. 605, a bill prescribing the manner of advertisement and sale of school property.

Referred to Committee on Education.

By Senator Kirkpatrick: S. B. 606, a bill to empower the governing body of the city of Charlotte to relieve churches and synagogues of street and paving assessments.

Referred to Committee on Finance.

By Senator Hartsell: S. B. 607, a bill to validate certain sales by commissioners under judgments of the Superior Courts of North Carolina, in actions for the foreclosure of mortgages and deeds of trust, where the judges of the Superior Courts have ordered the commissioners so appointed to sell the

property conveyed by the mortgage or deed of trust to report the sales to the clerk of the Superior Court for confirmation.

Referred to Committee on Judiciary No. 1.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 808, a bill to amend chapter 51, Public Laws 1927, relating to open season on raccoon and opossum.

Referred to Committee on Game Laws.

H. B. 1058, a bill directing the disposition of that portion of money which remains of a fund heretofore turned over by the United States Government to the State of North Carolina for payment to veterans of the Spanish-American War from time of their call to duty in 1898 until their muster into service of the United States by payment of interest to the Department of North Carolina United Spanish-War veterans.

Referred to Committee on Finance.

H. B. 1072, a bill to amend section 1443 of Volume III of the Consolidated Statutes, as amended, by chapter 123, Public Laws of 1929, providing an additional term of court for Northampton County.

Referred to Committee on Courts and Judicial Districts.

H. B. 1088, a bill to amend chapter 149 of the Public Laws of 1927, which chapter is known as the Capital Issues Law, relating to the regulation of the sale of securities within the State of North Carolina.

Referred to Committee on Banks and Banking.

H. B. 1198, a bill to amend H. B. 221, session 1933, ratified March 3, 1933, entitled "An act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice, and their discipline and disbarment," so as to provide for the issuance of license to practice, and for the Constitution of the Board of Law Examiners.

Referred to Committee on Judiciary No. 1.

H. B. 1333, a bill to allow the county commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said County.

Referred to Committee on Finance.

H. E. 1378, a bill to allow the governing bodies of the towns of Bladenboro and Elizabethtown to refund local improvement assessments.

Referred to Committee on Finance.

H. B. 1379, a bill to impose a privilege tax on persons and corporations receiving compensation for permission to fish in streams stocked by the State.

Placed upon the Calendar.

H. B. 1389, a bill to authorize the board of county commissioners of Swain County to purchase the building known as the Citizens Bank Building in the town of Bryson City.

Referred to Committee on Finance.



H. R. 1401, a joint resolution petitioning the President of the United States to authorize the employment of funds and labor designated in the Reforestation Act for use on private lands for the public benefit in North Carolina.

Referred to Committee on Conservation and Development.

H. B. 1404, a bill relative to the recorder's court of Rocky Mount.

Upon motion of Senator Griffin of Franklin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,

April 26, 1933.

*Mr. President:*

In accordance with request of your Honorable Body, we are returning herewith, for your further consideration, H. B. 920, title, "to amend section 220 (b) Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investment of banking corporations in the securities of affiliated or subsidiary corporations."

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

Upon motion of Senator Hill, the vote by which the bill passed its third reading is reconsidered.

HOUSE OF REPRESENTATIVES,

April 26, 1933.

*Mr. President:*

In accordance with request of your Honorable Body, we are returning herewith S. B. 556, title "to amend chapter 25 of the Private Laws of 1911, increasing the number of commissioners of the town of Ellerbe from three to five," for your further consideration.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

Upon motion of Senator Blue, the vote by which the bill passed its third reading is reconsidered.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 459, an act regulating the fees of jurors and witnesses in the courts of Catawba County.

S. B. 494, an act to repeal chapter 181, Public-Local Laws, extra session 1920, relating to hunting squirrels, foxes, opossums and coons in Wilson County and to provide an open season for foxes.

S. B. 510, an act to amend section 1443 of the Consolidated Statutes, relating to terms of court in Catawba County.

S. B. 526, an act to amend Finance Committee substitute bill for Senate Bill 10, the same being "An act to provide a method for the readjustment of

the indebtedness of counties and municipalities with creditors and holders of securities," ratified the third day of April, 1933.

S. B. 552, an act to preserve and make more secure the charter rights of Davidson College in relation to the sale of beer, spiritus frumenti, or other intoxicants.

S. B. 569, an act to amend an act entitled "An act to allow the counties and other governing agencies to refund tax sale certificates," ratified March 27, 1933, which amendment relates only to Beaufort County.

S. B. 573, an act supplemental to and amendatory of H. B. 249, it being "An act to grant a new charter for the town of Pinebluff, Moore County, North Carolina," ratified March 1, 1933.

S. B. 585, an act to amend an act entitled "An act to allow the counties and other governing agencies to refund tax sales certificates," ratified March 27, 1933, which amendment relates only to Catawba County.

H. B. 786, an act to regulate the operation of dance and recreation halls in Buncombe County.

H. B. 958, an act to amend section 1572 of the Consolidated Statutes as applicable to trials in recorder's courts in Henderson County.

H. B. 1019, an act to regulate the salaries of public officials in Transylvania County and for other purposes.

H. B. 1041, an act to exempt church property used exclusively for religious services and pastors residences, from the payment of street paving assessments and sidewalk assessments in the town of Elkin.

H. B. 1098, an act to amend chapter 342, Private Laws of 1901, relating to Scotland Neck.

H. B. 1107, an act to amend section 2187 of the Consolidated Statutes, relating to the procedure to compel guardians to account, also amend chapter 9, section 2, Public Laws 1929.

H. B. 1266, an act to fix the compensation of the county attorney for the county of Harnett.

H. B. 1268, an act to amend chapter 95 of the Private Laws of 1927, relative to pensioning the disabled and superannuated policemen of the city of Asheville and their widows.

H. B. 1348, an act to empower the board of aldermen of the city of Rocky Mount to relieve churches of paving assessments.

H. B. 1382, an act to allow public institutions to repay certain excessive charges made in Cherokee County.

H. B. 1335, an act to submit to the voters of the city of Raleigh the question of increasing the terms of office of the city commissioners from two to four years.

H. B. 1404, an act providing for the election of the recorder and the prosecuting attorney of the recorder's court of Rocky Mount by a vote of the people.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 449, a bill amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville



Local Tax School District and defining its powers and duties," upon third reading.

The bill passes third reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—41.

The bill is ordered enrolled.

S. B. 469, a bill to authorize the board of county commissioners of Mitchell County to levy special taxes for jail fees, and court expenses.

Upon motion of Senator Greene, the vote by which the bill passed its second and third readings is reconsidered, and it is placed upon the roll call Calendar.

The bill passes second reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—41.

H. B. 1191, a bill to authorize, empower and direct the board of commissioners of Madison County to levy special tax for the payment of certain indebtedness due to Yancey County, upon third reading.

The bill passes third reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—41.

The bill is ordered enrolled.

H. B. 1322, a bill to authorize and empower the board of commissioners of Ashe County to levy taxes for debt service in proportion of the ability of the taxpayers to pay, upon third reading.

Senator McNeill of Ashe offers an amendment, held immaterial, which is adopted.

The bill passes third reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—41.

The bill is ordered returned to the House of Representatives for concurrence in the Senate amendment.

H. B. 1340, a bill to incorporate the town of Cherry in Washington County, upon second reading.

The bill passes second reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dunagan, Efrid, Francis, Fuller, Grady, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—41.

H. B. 1345, a bill regulating fishing in Lake Lure, Chimney Rock Township, Rutherford County, North Carolina.

Upon motion of Senator Dunagan, the bill is laid upon the Table.

S. B. 493, a bill for the relief of the tax-payers of Gaston, Jackson, Oconeechee and Rich Square townships of Northampton County, for concurrence in the House amendment.

Upon motion of Senator Joyner, the Senate fails to concur in the House amendment, and asks for a conference thereon.

S. B. 470, a bill to amend the primary law for Mitchell County, regarding second primaries.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 576, a bill to repeal H. B. 1321, session 1933, ratified the 18th day of April, 1933, which provided for persons having deposits in closed banks in Buncombe County to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks.

Upon motion of Senator Blackstock, the bill is laid upon the Table.

S. B. 589, a bill to allow persons in Haywood, Henderson, Transylvania, Cherokee and Macon counties to come under the provisions of H. B. 1321 of the 1933 session of the General Assembly of North Carolina, relating to payment of debts and other obligations.

Senator Ingram offers an amendment which is adopted.

Senator Greene offers an amendment which is adopted.

Senator Gwyn offers an amendment which is adopted.

Senator Fuller offers an amendment which is adopted.

Senator Efrid offers an amendment which is adopted.

Senator Land offers an amendment which is adopted.

Senator Ingram offers an amendment which is adopted.

The bill, as amended, passes its second reading.

Senator Hinsdale objects to its final passage.

Senator Francis moves that the rules be suspended and the bill placed upon its final passage.

The motion fails to prevail, and the bill remains upon the Calendar.

H. B. 931, a bill to regulate charges made by the city of Asheville for water consumed in Buncombe County water districts.

The substitute offered by the Committee is adopted.

Passes its second reading and upon objection of Senator Blackstock to its final passage, the bill remains upon the Calendar.

H. B. 1225, a bill to repeal section 5 of chapter 691 of the Public-Local Laws of 1915, relative to fees for serving summons and other processes in Louisville Township, Franklin County.

Passes its second and third readings and is ordered enrolled.



H. B. 1391, a bill to amend S. B. 334, ratified the 27th day of March, 1933, the same being, "An act amending the recorder's court for Thomasville."

Passes its second and third readings and is ordered enrolled.

H. B. 120, a bill to raise revenue.

Upon motion of Senator Rankin, the Senate receives itself into the Committee of the Whole for the further consideration of the bill, Senator Grady, presiding.

Upon motion of Senator Rankin, the Committee arises and reports progress, as follows:

*Mr. President:*

Your Committee having under consideration, H. B. 120, a bill to raise revenue, begs leave to report, as follows:

*Article III, Schedule "C."*

That sections 204, 205, as written be adopted. That sections 206 and 207, as amended, be adopted. That section 210, as written be adopted. That section 211, as amended, be adopted. That sections 212 to 216, inclusive, as written, be adopted. That the whole of Article III, Schedule "C," as amended, be adopted.

*Article IV, Schedule "D."*

That the whole of this article, as written, be adopted. That section 151 of Article II, Schedule "D," as amended, be adopted.

Respectfully submitted,

RANKIN, *for the Committee.*

Upon motion of Senator Rankin, the report of the Committee is adopted.

The President announces receipt of opinions of the members of the Supreme Court, relative to constitutionality of H. B. 879, a bill to provide for a convention to consider and pass upon the proposed amendment to the Constitution of the United States, repealing the Eighteenth Amendment, as submitted by the Seventy-second Congress, which are referred to the Committee on Constitutional Amendments.

Upon motion of Senator Ingram, the Senate adjourns to meet tomorrow morning at 10:30 o'clock.

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NINETY-EIGHTH DAY

SENATE CHAMBER,

THURSDAY, April 27, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. T. S. Clarkson, Smithfield Episcopal Church of Smithfield, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Bell, for the Committee on Education:

S. B. 345, a bill regulating the purchase and character of the fuel for use in the rural public schools of North Carolina, with a favorable report.

S. B. 605, a bill prescribing the manner of advertisement and sale of school property, with a favorable report.

By Senator McDuffee, for the Committee on Propositions and Grievances:

H. B. 874, a bill to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor, with a favorable report as amended.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Brown: S. B. 608, a bill to authorize and empower the city of Wilmington to donate water to the Young Men's Christian Association of said city.

Upon motion of Senator Brown, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Greene: S. B. 609, a bill to provide for the redemption of property sold for taxes in Mitchell and Madison counties.

Referred to Committee on Finance.

By Senator Greene: S. B. 610, a bill to require and authorize county commissioners of Mitchell County, North Carolina, to have all notices and foreclosure proceedings published in and at the county seat of said Mitchell County.

Referred to Committee on Judiciary No. 2.

By Senator Dempsey: S. B. 611, a bill to divest and terminate the criminal jurisdiction of the mayor of Wilson and confer upon the general county court of said county the jurisdiction of the mayor's court of the city of Wilson, and to amend the general county court acts as relate to Wilson County in order to dispense with juries in criminal cases, to change the return date of warrants, to abolish jury tax and stenographer fees in criminal cases, to change solicitor's fees, and to empower the clerk of the Superior Court of Wilson County to appoint deputy general county court clerks and temporary emergency judges and solicitors for said court.

Upon motion of Senator Dempsey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.



## PETITIONS AND MEMORIALS

Several petitions of citizens of Alamance County from the towns of Haw River, Graham, Union Ridge, Mebane, Altamahaw and Burlington protesting against the enactment of a sales tax, are presented by Senator Walker and preferred to the Committee on Finance.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 391, a bill to amend the municipal finance act of North Carolina and more particularly section 2943 of the Consolidated Statutes as amended, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 392, a bill to amend section 2806 of Consolidated Statutes of North Carolina so as to authorize cities to fix and collect sewerage service charges, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 393, a bill to amend section 2808 of the Consolidated Statutes of North Carolina, relating to municipal light and water plants, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 484, a bill to authorize the issuance of funding bonds of the State, for concurrence in the House substitute.

Upon motion of Senator Hinsdale, the substitute is adopted.

S. B. 525, a bill to provide for and regulate the manufacture, transportation and sale of certain beverages, for concurrence in the House amendment.

Upon motion of Senator Francis, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 1001, a bill creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by the establishment of the Great Smoky Mountains National Park.

Placed upon the Calendar.

H. B. 1394, a bill to regulate the fees of the sheriff of Surry County for capturing stills used in the manufacture of intoxicating liquors.

Referred to Committee on Salaries and Fees.

H. B. 1395, a bill to amend chapter 193, Public-Local Laws 1921, fixing the salary of the sheriff of Yadkin County, and to allow the board of commissioners to fix the salary of the treasurer of said county, and to empower said board to levy an additional tax of five cents for the maintenance of the jail and courts of said county.

Referred to Committee on Judiciary No. 1.

H. B. 1402, a bill to amend S. B. 180, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933, relating to Hertford County.

Referred to Committee on Finance.

H. B. 1405, a bill to fix the salaries and compensation of certain officers of Bladen County.

Upon motion of Senator Beatty the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1408, a bill relating to the salary of the mayor and commissioners of the town of Benson, Johnston County.

Referred to Committee on Salaries and Fees.

H. B. 1409, a bill to release church property in the town of Benson, Johnston County, from the payment of street and sidewalk paving assessments.

Referred to Committee on Finance.

H. B. 1410, a bill to prohibit the commissioners of the county of Macon from levying any special tax to pay township bonds, except in the townships where said bonds are voted and issued.

Referred to Committee on Finance.

H. B. 1411, a bill to amend chapter 37, Private Laws of 1909, relating to the charter of the city of Lenoir.

Referred to Committee on Counties, Cities and Towns.

H. B. 1417, a bill to amend chapter 227 of the Public-Local Laws of 1931, creating five districts in Bertie County for the selection of county commissioners.

Referred to Committee on Counties, Cities and Towns.

H. B. 1418, a bill to repeal H. B. 752, ratified the 20th day of March, 1933, entitled "An act to amend chapter 51, Public Laws of 1927, relating to hunting wild turkeys in Guilford County."

Referred to Committee on Game Laws.

H. B. 1427, a bill to permit the discharge of the grand jury in Surry County when it has completed the business of the term.

Referred to Committee on Judiciary No. 2.

H. B. 1438, a bill to amend chapter 197, Private Laws 1907, relating to elections in the town of Garner.

Upon motion of Senator Hinsdale, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
April 27, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body requesting the return of H. B. 1389, title, "to authorize the board of county commissioners of Swain County to purchase the building known as the Citizens Bank Building in the town of Bryson City," for further consideration by the House of Representatives.

Respectfully,

THAD EURE,  
*Principal Clerk.*

Upon motion of Senator Patton, the bill is ordered returned to the House of Representatives.

#### ENROLLED BILLS

Senator Eford, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:



S. B. 553, an act to provide the regulation of peddlers in the city of Charlotte, North Carolina.

S. B. 559, an act to amend chapter 318, Public-Local Laws of 1931, for the relief of Iredell-Rowan County Drainage District Number One.

S. B. 588, an act to authorize the committeemen of Green Hope High School District, Wake County, to use unexpended funds derived from special school taxes in past years.

S. B. 449, an act amending chapter 149 of the Private Laws of 1931, entitled "An act providing for the appointment of a school board for the Asheville Local-Tax School District and defining its powers and duties."

H. B. 1191, an act to authorize, empower and direct the board of commissioners of Madison County to levy special tax for the payment of certain indebtedness due to Yancey County.

H. B. 1225, an act to repeal section 5 of chapter 691 of the Public-Local Laws of 1915, relative to fees for serving summons and other processes in Louisburg Township, Franklin County.

H. B. 1391, an act to amend S. B. 334, ratified the 27th day of March, 1933, the same being "An act amending the recorder's court for Thomasville."

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 469, a bill to authorize the board of county commissioners of Mitchell County to levy special taxes for jail fees and court expenses, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efrd, Francis, Fuller, Grady, Greene, Gwyn, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Summersill, Walker—39.

The bill is ordered sent to the House of Representatives.

H. B. 1340, a bill to incorporate the town of Cherry in Washington County, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efrd, Francis, Fuller, Grady, Greene, Gwyn, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Summersill, Walker—39.

The bill is ordered enrolled.

H. B. 1379, a bill to impose a privilege tax on persons and corporations receiving compensation for permission to fish in streams stocked by the State, upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey,

Cross, Dempsey, Dunagan, Efrid, Francis, Fuller, Grady, Greene, Gwyn, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Summersill, Walker—39.

H. B. 931, a bill to regulate charges made by the city of Asheville for water consumed in Buncombe County water districts, upon third reading.

Passes its third reading and is ordered returned to the House of Representatives for concurrence in the Senate substitute.

H. B. 1086, a bill to authorize the commissioners of the city of Hendersonville and the board of water commissioners of the city of Hendersonville to cancel assessments against all churches and synagogues located in the city of Hendersonville.

Passes its second and third readings and is ordered enrolled.

H. B. 1343, a bill to repeal S. B. 466, ratified April 3, 1933, entitled "An act to regulate the sale of milk bottles and containers in Mecklenburg County."

Passes its second and third readings and is ordered enrolled.

S. B. 589, a bill to allow persons in Haywood, Henderson, Transylvania, Cherokee and Macon counties to come under the provisions of H. B. 1321 of the 1933 session of the General Assembly of North Carolina, relating to payment of debts and other obligations, upon third reading.

Senator Dunagan offers an amendment which is adopted.

Upon motion of Senator Gwyn, the vote by which his amendment bringing Anson and Rockingham counties under the provisions of this bill is reconsidered and the amendment is withdrawn.

Upon motion of Senator Greene, the vote by which his amendment bringing Avery and Yancey counties under the provisions of this bill is reconsidered and the amendment is withdrawn.

The bill fails to pass its third reading.

Senator Francis gives notice that he will lodge a motion to reconsider the vote by which the bill failed to pass its third reading.

H. B. 120, a bill to raise revenue.

Upon motion of Senator Rankin, the Senate resolves itself into the Committee of the Whole for the further consideration of this bill, Senator Grady, presiding.

Upon motion of Senator Rankin, the Committee arises and reports further progress, as follows:

*Mr. President:*

Your committee having under consideration H. B. 120, a bill to raise revenue, begs leave to report, as follows:

That Article V, Schedule E, as amended, be adopted. That the bill, as amended in its entirety, be adopted.

Respectfully,

RANKIN, *for the Committee.*

Upon motion of Senator Rankin, the report of the Committee is adopted.

Upon motion of Senator Rankin, the bill, as amended in its entirety, is adopted.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow at 11 o'clock.



## NINETY-NINTH DAY

SENATE CHAMBER,  
FRIDAY, April 28, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Senator Boggan of Anson County.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Moore, H. B. 1250, a bill to regulate the building of dams across creeks, bays and river estuaries, applicable only to Carteret County, is taken from the Committee on Judiciary No. 2, and placed upon the Calendar.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

H. B. 1392, a bill to provide for the redemption of property sold for taxes in Yancey County or in any municipality therein, with a favorable report.

H. B. 1296, a bill to postpone tax sales in Yancey County, with a favorable report.

S. B. 597, a bill to amend House Bill No. 1338, ratified April 21, 1933, entitled, "An act to allow the counties, municipalities and other governing agencies to fund tax sale certificates," with a favorable report.

S. B. 598, a bill to amend House Bill 1114 ratified on March 31, 1933, entitled, "An act authorizing the city of Gastonia to issue tax anticipation certificates, with a favorable report.

H. B. 1298, a bill to amend Senate Bill 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933, with a favorable report, as amended.

By Senator McNeill of Ashe, for the Committee on Agriculture:

S. B. 522, a bill to regulate the sale of unginned or seed cotton in Wilson County, with a favorable report.

H. B. 1281, a bill to regulate the sale of milk bottles and containers in Pitt County, with a favorable report.

## CONFERENCE REPORT

Senator Clement for the Conferees appointed to consider the difference arising upon S. B. 361, a bill to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865 and chapter 56, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in State supported institutions of higher learning in North Carolina, submits the following report:

*To the President of the Senate and the Speaker of the House of Representatives:*

The undersigned Conference Committee, appointed to consider amendments to Senate Bill No. 361, being "An act to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865 and chapter 56, Private Laws 1925, in so far as they are in conflict with this act and to require the payment of tuition by all students in State supported institutions of higher learning in North Carolina," report their findings as follows, to wit:

Amendment No. 1. It is recommended that the Senate adopt House Amendment No. 1, exempting indigent cripples from the provisions of the bill.

Amendment No. 2. It is recommended that the Senate adopt House Amendment No. 2 exempting students physically disabled, and so certified to be by the Vocational Rehabilitation Division of the State Board for Vocational Education.

Amendment No. 3. It is recommended that the House recede from its amendment No. 3 as follows, to wit: "That the tuition fees charged at Western Carolina Teachers College, East Carolina Teachers College and Appalachian State Teachers College shall be uniform."

All of which is respectfully submitted,

This April 24, 1933.

T. W. M. LONG,

HAYDEN CLEMENT,

*Conferees on the part of the Senate.*

WALTER MURPHY,

ERNEST GRAHAM,

C. W. ALLEN,

*Conferees on the part of the House of Representatives.*

Upon motion of Senator Clement, the Senate adopts the conference report and a message is ordered sent to the House of Representatives informing that Body of such action.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Burgin: S. B. 612, a bill to create the office of tax collector for Montgomery County and to fix the salary of the sheriff of said county.

Placed upon the Calendar.

By Senator Efrid, by request: S. B. 613, a bill to amend chapter 29 of the Private Laws of 1929, it being "An act to incorporate Salem Methodist Church of Stanly County, North Carolina."

Referred to Committee on Counties, Cities and Towns.

By Senator Greene: S. B. 614, a bill to fix the terms of office of the board of education in Mitchell County.

Referred to Committee on Education.

By Senator Barker: S. B. 615, a bill to amend committee substitute for Senate Bill 525, known as the beverage control act of 1933.

Upon motion of Senator Barker, the rules are suspended and the bill is placed upon its immediate readings.



Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Corey: S. B. 616, a bill to amend chapter 367, Private Laws of 1911, relating to the incorporation of the town of Arthur in Pitt County.

Placed upon the Calendar.

By Senator McNeill of Ashe: S. B. 617, a bill to permit A. H. Sharp of Ashe County, to take the examination given by the State Board of Dental Examiners.

Referred to Committee on Public Health.

By Senator Beatty, by request: S. B. 618, a bill to preserve the recreational advantages of the State lakes.

Referred to Committee on Conservation and Development.

By Senator Hanes: S. B. 619, a bill to authorize the board of commissioners for the County of Forsyth to convey to the city of Winston-Salem an easement for street and sidewalk purposes of a portion of the courthouse property and to provide for the improvement of the same and the assessment of benefits resulting therefrom.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 446, a bill to amend chapter 122 of the Public Laws of 1927 and amendatory acts thereto particularly chapter 336 of Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-trailers, trailers, semi-trailers, and busses.

Referred to Committee on Public Roads.

H. B. 610, a bill to regulate the hunting of foxes in Caswell County.

Referred to Committee on Game Laws.

H. B. 1150, a bill to regulate piloting by persons not holding proper license.

Referred to Committee on Judiciary No. 2.

H. B. 1277, a bill to amend Senate Bills 313, passed by the General Assembly and ratified March 20, 1933, relating to the fee for registering Federal crop liens and Federal chattel mortgages.

Referred to Committee on Judiciary No. 1.

H. B. 1360, a bill authorizing the city of Lexington to borrow money for the payment of expenses incurred in connection with repairing, renovating and improving certain property owned by said city.

Placed upon the Calendar.

H. B. 1372, a bill to authorize the commissioner of banks to pay over certain funds of the Scotland Neck Bank held by him for distribution to the depositors of said bank.

Referred to Committee on Banks and Banking.

H. B. 1373, a bill to provide for the expenses of revaluation of property in Yancey County.

Referred to Committee on Finance.

H. B. 1399, a bill to provide for limitation of the net debt of the city of Burlington.

Referred to Committee on Finance.

H. B. 1412, a bill authorizing the commissioners of the town of Blowing Rock to postpone the sale of land for delinquent taxes for the years 1932 and 1933 until the first Monday in September.

Referred to Committee on Finance.

H. B. 1428, a bill to authorize the commissioners of Johnston County to retire sinking fund loans with county bonds.

Referred to Committee on Finance.

H. B. 1435, a bill providing for the appointment of a court reporter for the second judicial district of North Carolina.

Placed upon the Calendar.

H. B. 1436, a bill relating to disposition and use of back taxes collected in Carver's Creek Township Special School Tax District, Bladen County.

Referred to Committee on Finance.

H. B. 1437, a bill to amend House Bill 880, ratified March 28, 1933, being "An act providing for renewal of notes and mortgages due Columbus County."

Referred to Committee on Finance.

HOUSE OF REPRESENTATIVES,

April 27, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House has adopted the Conference Report on Senate Bill No. 361, title, "An act to repeal sections 5800, 5820, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865 and chapter 56, Private Laws of 1925, in so far as they are in conflict with this act, and to require payment of tuition by all students in State supported institutions of higher learning in North Carolina," to the end that if a similar report is adopted by your Body, the bill may be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk.*

The bill is ordered enrolled.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 387, an act relating to the disposition of witness fees and officers' fees in the office of the clerk of the Superior Court of Wilkes County.

S. B. 437, an act to amend chapter 131 of the Public-Local Laws of 1931, relating to special assessments levied by the city of High Point.

S. B. 551, an act to authorize the board of county commissioners of Mecklenburg County to levy additional tax for the support and maintenance of the county tubercular hospital.

S. R. 602, a joint resolution requesting Congress to maintain the regional offices of the United States Veterans Administration.

S. B. 611, an act to divest and terminate the criminal jurisdiction of the mayor of Wilson and confer upon the general county court of said county



the jurisdiction of the mayor's court of the city of Wilson, and to amend the general county court acts as relate to Wilson County in order to dispense with juries in criminal cases, to change the return date of warrants, to abolish jury tax and stenographer fees in criminal cases, to change solicitor's fees, and to empower the clerk of the Superior Court of Wilson County to appoint deputy general county court clerks and temporary emergency judges and solicitors for said court.

H. B. 1086, an act to authorize the commissioners of the city of Hendersonville and the board of water commissioners of the city of Hendersonville to cancel assessments against all churches and synagogues located in the city of Hendersonville.

H. B. 1322, an act to authorize and empower the board of commissioners of Ashe County to levy taxes for debt service in proportion to the ability of the taxpayers to pay.

H. B. 1340, an act to incorporate the town of Cherry in Washington County.

H. B. 1343, an act to repeal Senate Bill No. 466, ratified April 3, 1933, entitled "An act to regulate the sale of milk bottles and containers in Mecklenburg County."

H. B. 1405, an act to fix the salaries and compensation of certain officers of Bladen County.

S. B. 525, an act to provide for and regulate the manufacture, transportation and sale of certain beverages.

H. B. 1438, an act to amend chapter 197, Private Laws 1907, relating to elections in the town of Garner.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1379, a bill to impose a privilege tax on persons and corporations receiving compensation for permission to fish in streams stocked by the State, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Brown, Burgin, Clement, Corey, Cross, Dempsey, Efird, Francis, Fuller, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Waynick—39.

The bill is ordered enrolled.

S. B. 597, a bill to amend H. B. 1338, ratified April 21, 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sale certificates."

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

S. B. 598, a bill to amend H. B. 1114, ratified on March 31, 1933, entitled "An act authorizing the city of Gastonia to issue tax anticipation certificates."

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

H. B. 874, a bill to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1323, a bill to regulate the sale of lubricating oil, benzine, naphtha, gasoline and other products by wholesale in Mecklenburg County.

Passes its second and third readings and is ordered enrolled.

H. B. 1250, a bill to regulate the building of dams across creeks, bays and river estuaries, applicable only to Carteret County.

Passes its second and third readings and is ordered enrolled.

H. B. 1298, a bill to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 120, a bill to raise revenue.

Senator Gwyn offers an amendment.

Senator Hill offers an amendment.

Senator Hinsdale offers an amendment.

Senators Blackstock and Francis offer amendments.

Senator Moore offers several amendments.

Senator Griffin of Franklin offers an amendment.

Senator Waynick moves that the Senate recess until 3:00 o'clock p.m. in order that a Senate caucus may be held upon the revenue bill.

Senator McNeill of Cumberland, moves that the motion do lie upon the Table.

The motion prevails.

Senator Hinsdale offers an amendment.

Senator Moore moves that the amendments be considered upon adoption in the order that they relate to the sections in order of the bill.

The motion fails to prevail.

Upon the adoption of the amendment of Senator Griffin of Franklin, upon the exemption of commodities from the provision of Article V, he calls for the ayes and noes.

The call is not sustained.

The amendment fails of adoption.

Upon the adoption of the amendment offered by Senator Francis and himself, increasing the rate of tax provided in section 203, Senator Blackstock calls for the ayes and noes.

The call is sustained.

The amendment is adopted, ayes 36, noes 12, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Blackburn, Blackstock, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Ingram, Joyner, Long, McBryde, McDuffee,



McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Sparger, Summersill, Walker, Waynick—36.

Those voting in the negative are: Senators Aiken, Bland, Efird, Gwyn, Hanes, Hartsell, Hill, Hinsdale, Land, MacLean, Noell, Rankin—12.

Upon the adoption of the amendment offered by him adding a new section to No. 405½ business license tax on certain commodities, Senator Moore calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 17, noes 31, as follows:

Those voting in the affirmative are: Senators Bagley, Blue, Boggan, Clark, Clement, Corey, Cross, Francis, Fuller, Grady, Griffin of Chowan, Hinsdale, Ingram, McBryde, McDuffee, Moore, Sparger—17.

Those voting in the negative are: Senators Aiken, Bailey, Barker, Beatty, Blackburn, Blackstock, Bland, Brown, Burgin, Dempsey, Dunagan, Efird, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Joyner, Land, Long, MacLean, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Summersill, Walker, Waynick—31.

Upon the adoption of the amendment offered by him levying a tax upon paid admission to amusements, Senator Moore calls for the ayes and noes.

The call is not sustained.

Upon call for a division, 20 Senators voted "aye," and 20 Senators voted "no"; the amendment failed of adoption.

Upon the adoption of the amendment offered by him, striking out section 105 and inserting a new section therefor, purporting to increase the tax on amusements, moving pictures and vaudeville shows, Senator Moore calls for the ayes and noes.

The call is not sustained.

The amendment fails of adoption.

Upon the adoption of the amendment offered by him, adding a new section 405½ (b), levying a tax upon soft drinks, Senator Moore calls for the ayes and noes.

The call is not sustained.

The amendment fails of adoption.

Upon the adoption of the amendment offered by him, amending section No. 211, reinstating the House provisions for establishing a new method for the levy of a franchise tax upon foreign corporations, Senator Moore calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 19, noes 29, as follows:

Those voting in the affirmative are: Senators Bagley, Blackburn, Blackstock, Boggan, Brown, Clark, Corey, Cross, Fuller, Grady, Greene, Griffin of Franklin, Ingram, Joyner, McBryde, McNeill of Ashe, Moore, Sparger, Walker—19.

Those voting in the negative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Bland, Blue, Burgin, Clement, Dempsey, Dunagan, Efird, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Kirkpatrick, Land, Long, MacLean, McNeill of Cumberland, Noell, Patton, Rankin, Summersill, Waynick—29.

Upon the adoption of the amendment offered by him, amending section 203, levying a tax upon each kilowatt hour of hydro-electric power, Senator Moore calls for the ayes and noes.

The call is not sustained.

The amendment fails of adoption.

Upon adoption of the amendment offered by Senator Moore, amending section 206, increasing the tax levy therein, Senator Corey calls for the ayes and noes.

The call is sustained.

The amendment is adopted, ayes 28, noes 21, as follows:

Those voting in the affirmative are: Senators Bagley, Barker, Beatty, Blackburn, Blackstock, Boggan, Brown, Burgin, Clement, Corey, Cross, Efrd, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hairfield, Hill, Ingram, Long, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Sparger, Walker—28.

Those voting in the negative are: Senators Aiken, Bailey, Bell, Bland, Blue, Clark, Dempsey, Dunagan, Griffin of Chowan, Gwyn, Hanes, Hartsell, Hinsdale, Joyner, Kirkpatrick, Land, MacLean, Noell, Rankin, Summersill, Waynick—21.

Upon the adoption of the amendment offered by him, amending section 202 increasing the tax levy therein, Senator Moore calls for the ayes and noes.

The call is sustained.

The amendment is adopted, ayes 26, noes 23, as follows:

Those voting in the affirmative are: Senators Bagley, Barker, Beatty, Blackburn, Blackstock, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Efrd, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Ingram, McBryde, McNeill of Ashe, Moore, Patton, Sparger, Walker—26.

Those voting in the negative are: Senators Aiken, Bailey, Bell, Bland, Blue, Clark, Dunagan, Greene, Gwyn, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McNeill of Cumberland, Noell, Rankin, Summersill, Waynick—23.

Upon the adoption of the amendment offered by him, amending section 207, increasing the tax therein, Senator Moore calls for the ayes and noes.

The call is sustained.

The amendment is adopted, ayes 38, noes 12, as follows:

Those voting in the affirmative are: Senators Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efrd, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hill, Ingram, Joyner, Land, Long, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Sparger, Summersill, Walker—38.

Those voting in the negative are: Senators Aiken, Bailey, Clark, Hanes, Hartsell, Hinsdale, Kirkpatrick, MacLean, McDuffee, Noell, Rankin, Waynick—12.

Upon the adoption of the amendment offered by him, amending section 135, increasing the tax therein, Senator Moore calls for the ayes and noes.

The call is sustained.

The amendment is adopted, ayes 39, noes 10, as follows:



Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Sparger, Summersill, Walker—39.

Those voting in the negative are: Senators Aiken, Dunagan, Gwyn, Hanes, Hartsell, Hinsdale, MacLean, Noell, Rankin, Waynick—10.

Upon the adoption of the amendment offered by Senators Francis and Blackstock, exempting certain articles from Article V, Senator McNeill of Ashe calls for the ayes and noes.

The call is sustained.

The amendment is adopted, ayes 34, noes 16, as follows:

Those voting in the affirmative are: Senators Bagley, Barker, Beatty, Bell, Blackstock, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Sparger, Summersill, Walker—34.

Those voting in the negative are: Senators Aiken, Bailey, Blackburn, Bland, Blue, Dempsey, Dunagan, Greene, Gwyn, Hanes, Hartsell, Hill, MacLean, Noell, Rankin, Waynick—16.

Upon the adoption of the amendment offered by him, striking out Article V and substituting therefor provision for a tax upon certain commodities, Senator Hinsdale calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 14, noes 32, as follows:

Those voting in the affirmative are: Senators Bagley, Boggan, Burgin, Clark, Clement, Corey, Cross, Fuller, Hinsdale, Ingram, McBryde, Moore, Walker, Waynick—14.

Those voting in the negative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Brown, Dempsey, Dunagan, Francis, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Hartsell, Hill, Joyner, Land, Long, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Sparger, Summersill—32.

Upon the adoption of the amendment offered by Senator Hill, providing for certain exemptions from Article V, Senator Corey calls for the ayes and noes.

The call is not sustained.

The amendment fails of adoption.

Upon the adoption of the amendment offered by Senator Gwyn, striking out Article V, Senator Sparger calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 18, noes 32, as follows:

Those voting in the affirmative are: Senators Blackburn, Boggan, Burgin, Clement, Corey, Cross, Efird, Fuller, Greene, Griffin of Franklin, Gwyn, Hairfield, Ingram, Kirkpatrick, McBryde, McNeill of Ashe, McNeill of Cumberland, Sparger—18.

Those voting in the negative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Brown, Clark, Dempsey, Dunagan,

Francis, Grady, Griffin of Chowan, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, Long, MacLean, McDuffee, Moore, Noell, Patton, Rankin, Summersill, Walker, Waynick—32.

Upon motion of Senator Rankin, further consideration of the bill is deferred at this time.

Upon motion of Senator Ingram, H. B. 446, a bill to amend chapter 122 of the Public Laws of 1927 and amendatory acts thereto particularly chapter 336 of the Public Laws, 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers, and busses, is taken from the Committee on Public Roads and placed upon the Calendar.

Upon motion of Senator MacLean, the Senate recesses to meet at 5:00 o'clock p.m.

#### AFTERNOON SESSION

SENATE CHAMBER,

FRIDAY, April 28, 1933.

The Senate meets pursuant to recess, and is called to order by Lieutenant-Governor A. H. Graham.

Upon motion of Senator McNeill of Cumberland, H. B. 1150, a bill to regulate piloting by persons not holding proper license, is taken from the Committee on Judiciary No. 2, and placed upon the Calendar.

Upon motion of Senator McNeill of Cumberland, H. B. 1277, a bill to amend S. B. 313, passed by the General Assembly and ratified March 20, 1933, relating to the fee for registering federal crop liens and federal mortgages, is taken from the Committee on Judiciary No. 1, and placed upon the Calendar.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Bell, for the Committee on Education:

H. B. 1227, a bill to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense, with a favorable report, as amended.

#### ENROLLED BILLS

Senator Eflrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 931, an act to regulate charges made by the city of Asheville for water consumed in Buncombe County water districts.

H. B. 1250, an act to regulate the building of dams across creeks, bays and river estuaries, applicable only to Carteret County.

H. B. 1323, an act to regulate the sale of lubricating oil, benzine, naphtha, gasoline and other products by wholesale in Mecklenburg County.

H. B. 1379, an act to impose a privilege tax on persons and corporations receiving compensation for permission to fish in streams stocked by the State.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1227, a bill to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office and limit the compensation, as amended, at State expense.

Senator Barker offers an amendment which is adopted.

Senator Hinsdale offers an amendment which is adopted.

Senator Patton offers an amendment which is adopted.

Senator McNeill of Cumberland offers an amendment which is adopted.

Senator MacLean offers an amendment which is adopted.

Senator Hill offers an amendment which is adopted.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment by a special messenger.

H. B. 1150, a bill to regulate piloting by persons not holding proper license.

Passes its second and third readings and is ordered enrolled.

H. B. 1277, a bill to amend S. B. 313, passed by the General Assembly and ratified March 20, 1933, relating to the fee for registering federal crop liens and federal chattel mortgages.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Blue, the Senate adjourns to meet tomorrow morning at 10:00 o'clock.

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ONE HUNDREDTH DAY

SENATE CHAMBER,

SATURDAY, April 29, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. H. A. Cox, Saint Saviour's Episcopal Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Honorable Felix E. Alley, Superior Court Judge.

Upon motion of Senator Dunagan, H. B. 1195, a bill supplemental to H. B. 1033, the same being, "A bill to be entitled, An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County," ratified on the 3d of April, 1933, is taken from the Committee on Education and placed upon the Calendar.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Walker, for the Committee on Election Laws:

H. B. 1342, a bill to provide for the nomination of officers of the town of Benson, Johnston County, by a primary instead of by a convention, with a favorable report.

By Senator Brown, for the Committee on Public Health:

S. B. 617, a bill to permit A. G. Sharp of Ashe County to take the examination given by the State Board of Dental Examiners, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 472, a bill to amend section six of Public Laws of 1923, in reference to procedure in zoning by municipalities, with a favorable report.

H. B. 968, a bill to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof, with a favorable report.

H. B. 1025, a bill to authorize the collection of certain water rates in the town of Brevard, with an unfavorable report.

H. B. 1198, a bill to amend H. B. 221, Session 1933, ratified March 3, 1933, entitled, "An act to provide for the organization as an agency of the State of North Carolina, of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment," so as to provide for the issuance of license to practice and for the constitution of the board of law examiners, with a favorable report.

H. B. 1233, a bill to regulate the grand jury of Mecklenburg County, with a favorable report.

H. B. 1313, a bill to protect vendors of personal property upon installment payment plan, applies to Wake County only, with a favorable report.

H. B. 1319, a bill to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities or other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933, so as to exempt Sampson County, with an unfavorable report.

By Senator Rankin, for the Committee on Finance:

H. B. 1378, a bill to allow the governing bodies of the towns of Bladenboro and Elizabethtown to refund local improvement assessments, with a favorable report.

H. B. 1396, a bill to provide for a more efficient auditing of the books and accounts of the officers of Columbus County, with a favorable report.

H. B. 1436, a bill relating to disposition and use of back taxes collected in Carver's Creek township special school tax district, Bladen County, with a favorable report.



H. B. 1437, a bill to amend H. B. 880, ratified March 28th 1933, being "An act providing for renewal of notes and mortgages due Columbus County," with a favorable report.

H. B. 1376, a bill to amend chapter 26, Private Laws 1929, relating to the auditing of the books of the town of Vanceboro, Craven County, North Carolina, with a favorable report.

H. B. 1369, a bill to authorize and empower the board of commissioners of the town of Morehead City to extend the time for the payment of special assessments for local improvements, with a favorable report.

H. B. 1412, a bill authorizing the commissioners of the town of Blowing Rock to postpone the sale of land for delinquent taxes for the years 1932 and 1933 until the first Monday in September, with a favorable report.

H. B. 1402, a bill to amend S. B. 180, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933, relating to Hertford County, with a favorable report.

H. B. 1334, a bill relating to remission of penalties on 1932 taxes in Pitt County, with a favorable report.

H. B. 1393, a bill to regulate license or franchise taxes on building and loan associations in Mecklenburg County, with a favorable report.

H. B. 1371, a bill to permit the aldermen of the town of Bryson City to make agreements, relative to town funds in the Bryson City Bank, with an unfavorable report.

H. B. 1237, a bill to amend chapter 60, section 38, Public Laws of 1931, relating to the duties of local governing boards, with a favorable report.

H. B. 1180, a bill to permit the governing bodies of the various counties, cities, towns and other units which have funds in failed banks to accept the bonds of said counties, cities, towns or units in settlement of the claim for said funds or any judgment recorded on account of same, with a favorable report.

H. B. 1295, a bill to regulate peddling in the city of Elizabeth City, with a favorable report.

H. B. 1327, a bill to allow the commissioners of the town of Hendersonville to accept bonds and/or notes in payment of certain taxes, with a favorable report.

S. B. 609, a bill to provide for the redemption of property sold for taxes in Mitchell and Madison Counties, with a favorable report.

S. B. 594, a bill to clarify and/or amend the appropriations Act of 1933, House Bill 125, and to authorize certain transfers and allotments under appropriations under chapter 429 of the Public Laws of 1931, with a favorable report.

S. B. 546, a bill relating to appeals from levies and assessments for taxation of unlisted property, with a favorable report.

H. B. 1373, a bill to provide for the expenses of revaluation of property in Yancey County, with a favorable report.

H. B. 1399, a bill to provide for the limitation of the net debt of the city of Burlington, with a favorable report.

H. B. 1377, a bill to amend section 4 of chapter 25 of the Public-Local Laws of 1919, relating to collection of taxes in Gates County, with a favorable report.

H. B. 1058, a bill directing the disposition of that portion of money which remains a fund heretofore turned over by the United States Government to the State of North Carolina for payment to veterans of the Spanish-American War from time of their call to duty in 1898 until their muster into service of the United States, by payment of interest to the Department of North Carolina United Spanish War Veterans, with a favorable report.

H. B. 1314, a bill to authorize the issuance of scrip by Currituck County, with a favorable report.

By Senator Francis, for the Committee on Railroads:

H. B. 926, a bill to amend section 3481, Consolidated Statutes of North Carolina by conferring authority on the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads, where the convenience and necessity of the traveling public do not require the running of passenger trains, with an unfavorable report.

By Senator Aiken, for the Committee on Courts and Judicial Districts:

H. B. 1362, a bill to amend section 1443 of the Consolidated Statutes, relative to courts of Hoke County, with a favorable report, as amended.

By Senator Griffin, for the Committee on Commercial Fisheries:

H. B. 1300, a bill to amend H. B. 1217, entitled "An act to amend the fishing laws as to Cherokee County," ratified April 10, 1933, with a favorable report.

H. B. 1231, a bill to allow fishing in the streams of Yadkin County with trot lines, baskets and seines, with a favorable report.

H. B. 1332, a bill to allow fishing in the streams of Wilkes, Alexander and Davie Counties with trot lines and baskets, with a favorable report.

H. B. 1205, a bill to amend section 1891 of the Consolidated Statutes, as amended by chapter 168, Public Laws 1925, relating to licenses for Fyke nets and motor boats, with a favorable report.

H. B. 1302, a bill to amend H. B. 135, ratified April 11, 1933, entitled "An act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein, with a favorable report.

By Senator Walker, for the Committee on Election Laws:

H. B. 1299, a bill to amend section 6054 of Volume III of the Consolidated Statutes, exempting Avery County from the primary law for candidates for County offices, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator McNeill of Ashe by request: S. B. 620, a bill to amend section 1608 of Volume III of the Consolidated Statutes, placing Ashe County under the provisions of the general law, relating to the establishment of recorder's courts.

Referred to Committee on Courts and Judicial Districts.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 559, a bill to provide for the merger or consolidation of two or more charitable, educational, social, ancestral, historical, penal or reformatory corporations not under the patronage and control of the State.

Referred to Committee on Judiciary No. 1.

H. B. 748, a bill to create a State text book commission, and to provide for greater economy and efficiency in the adoption and use of text books in schools.

Referred to Committee on Education.

H. B. 1123, a bill to amend chapter 249, Public Laws 1931, relating to the extension of special assessments.

Referred to Committee on Finance.

H. B. 1141, a bill to amend H. B. 158, ratified March 13, 1933, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes" so as to provide an alternative method of notification.

Referred to Committee on Judiciary No. 1.

H. B. 1144, a bill to amend section 16 A, chapter 122, Public Laws of 1927, to allow dealers to operate wreckers on dealers license tags.

Placed upon the Calendar.

H. B. 1143, a bill to fix the status of certain acreage made by intra-coastal waterway dredging operations.

Referred to the Committee on Conservation and Development.

H. B. 1166, a bill to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony of wife against her husband in criminal prosecutions for the abandonment and nonsupport of children.

Referred to Committee on Judiciary No. 1.

H. B. 1167, a bill to dispense with affidavit of six months knowledge of grounds for divorce where such divorce is sought on the ground of separation.

Referred to Committee on Judiciary No. 1.

H. B. 1172, a bill to legalize the probate of corporations taken prior to the first day of January 1918.

Referred to Committee on Judiciary No. 2.

H. B. 1185, a bill to amend the Consolidated Statutes of North Carolina, section 1443, relating to the Superior Courts of North Carolina.

Referred to Committee on Courts and Judicial Districts.

H. B. 1190, a bill to amend section 3189 of the Consolidated Statutes, so as to eliminate the necessity of kissing the Bible when taking an oath.

Referred to Committee on Judiciary No. 2.

H. B. 1192, a bill to amend chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks by adding Franklin County after the words Hyde County.

Referred to Committee on Judiciary No. 1.

H. B. 1193, a bill to provide for the professional education of qualified members of the negro race.

Placed upon the Calendar.

H. B. 1201, a bill to amend section 962 of the Consolidated Statutes, as amended by chapter 15 of the Public Laws of 1929, by adding another paragraph to said section.

Referred to Committee on Judiciary No. 1.

H. B. 1216, a bill to amend section 1443 of Volume III of the Consolidated Statutes, as amended by chapter 207, Public Laws 1927, and chapter 173, Public Laws 1929, relating to the terms of court for Rutherford and Yancey Counties.

Referred to Committee on Courts and Judicial Districts.

H. B. 1239, a bill to amend section 4428 of the Consolidated Statutes of North Carolina, relating to lotteries.

Referred to Committee on Propositions and Grievances.

H. B. 1251, a bill to allow counties and other units to invest in bonds of their said unit notwithstanding the fact that they have been in default in payment of principal and interest of bonded indebtedness.

Referred to Committee on Finance.

H. B. 1385, a bill to allow the commissioners of the town of Laurel Park in Henderson County to accept bonds and/or notes in payment of taxes.

Referred to Committee on Finance.

H. B. 1386, a bill to aid the collection of back taxes in the city of Hendersonville.

Referred to Committee on Finance.

H. B. 1389, a bill to authorize the board of county commissioners of Swain County to purchase the building known as the Citizens Bank Building in the town of Bryson City.

Referred to Committee on Finance.

H. B. 1406, a bill to permit the taking of fish from the waters of the Cape Fear River at Brown Landing with bow nets.

Referred to Committee on Fish and Fisheries.

H. B. 1421, a bill to amend article 22 of chapter 27 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of recorder's courts with the provisions of this act applying only to the county of Carteret.

Referred to Committee on Judiciary No. 2.

H. B. 1430, a bill to regulate and prohibit the possession and use of slot machines and other devices in Pasquotank County.

Referred to Committee on Judiciary No. 2.

H. B. 1440, a bill to amend chapter 196, Private Laws of the State of North Carolina, 1929, being "An act to amend the act incorporating the city of Thomasville, North Carolina."

Placed upon the Calendar.

H. B. 1441, a bill to give owners of peanut pickers and threshing machines a lien on peanuts picked in Chowan County.

Referred to Committee on Judiciary No. 2.



H. B. 1442, a bill to create a game commission for Burke County and to regulate fishing in certain waters in said county.

Placed upon the Calendar.

H. B. 1452, a bill to prohibit the sale of beer, wine or other intoxicating liquors within one and one half miles of Guilford College.

Referred to Committee on Judiciary No. 1.

H. B. 1445, a bill to make the office of county accountant of Lenoir County elective.

Placed upon the Calendar.

H. B. 1446, a bill to repeal chapter 88, Public-Local Laws, 1929, relating to pool and billiard rooms in Caldwell County.

Placed upon the Calendar.

H. B. 1447, a bill to provide for the erection of a retaining wall between Waccamaw Lake and the town of Lake Waccamaw.

Referred to Committee on Conservation and Development.

H. B. 1449, a bill authorizing the transfer of certain criminal cases from the Superior Court of Guilford County to the Municipal Court of the city of Greensboro.

Referred to Committee on Judiciary No. 2.

H. B. 1451, a bill to amend H. B. 565, same being a bill to be entitled, "An act to amend chapter 520 of the Public-Local Laws of 1915," being "An act to establish a special court for Forsyth County with civil jurisdiction to be known as Forsyth County Court and the amendments thereto, relating to terms of court," ratified March 16, 1933.

Placed upon the Calendar.

H. B. 1453, a bill to prohibit the sale of beer, wine and other intoxicating liquors within one and one half miles of Oak Ridge Military Institute.

Referred to Committee on Judiciary No. 1.

H. B. 1455, a bill to empower the county commissioners of Wilson County to fix the salaries of officers of said county.

Placed upon the Calendar.

H. R. 1461, a joint resolution to have ten thousand copies of S. B. 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages."

Upon motion of Senator Francis, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

S. B. 458, a bill to amend the North Carolina Game Law, for concurrence in the House amendment.

Placed upon the Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1360, a bill authorizing the city of Lexington to borrow money for the payment of expenses incurred in connection with repairing, renovating and improving certain property owned by said city, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Corey, Cross, Dunagan, Efird, Francis, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noel, Patton, Rankin, Walker—40.

H. B. 1195, a bill supplemental to H. B. 1033, the same being a bill to be entitled, "An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County," ratified on the 3rd of April, 1933, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Corey, Cross, Dunagan, Efird, Francis, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noel, Patton, Walker, Waynick—40.

H. B. 1281, a bill to regulate the sale of milk bottles and containers in Pitt County.

Passes its second and third readings and is ordered enrolled.

H. B. 1296, a bill to postpone tax sales in Yancey County.

Passes its second and third readings and is ordered enrolled.

H. B. 1370, a bill to empower the governing body of the town of Weaverville, Buncombe County, to relieve churches of paving assessments, applicable also to the municipalities of Clyde, Canton and Hazelwood, in Haywood County.

Senator Blackstock and Francis offer an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1392, a bill to provide for the redemption of property sold for taxes in Yancey County or in any municipality therein.

Passes its second and third readings and is ordered enrolled.

S. B. 522, a bill to regulate the sale of unginned or seed cotton in Wilson County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 612, a bill to create the office of tax collector for Montgomery County and to fix the salary of the sheriff of said county.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 616 a bill to amend chapter 367, Private Laws of 1911, relating to the incorporation of the town of Arthur in Pitt County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 619, a bill to authorize the board of commissioners for the county of Forsyth to convey to the city of Winston-Salem an easement for street and sidewalk purposes of a portion of the court house property and to



provide for the improvement of the same and the assessment of benefits resulting therefrom, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Corey, Cross, Dunagan, Efird, Francis, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Walker, Waynick—40.

S. B. 617, a bill to permit A. G. Sharp of Ashe County to take the examination given by the State Board of Dental Examiners.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 484, a bill to authorize the issuance of funding bonds of the State, upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Corey, Cross, Dempsey, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Joyner, Kirkpatrick, Land, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Walker, Waynick—39.

S. B. 391, a bill to amend the municipal finance act of North Carolina and more particularly section 2943 of the Consolidated Statutes, as amended, for concurrence in the House amendment.

Upon motion of Senator Waynick, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 392, a bill to amend section 2806 of Consolidated Statutes of North Carolina, so as to authorize cities to fix and collect sewerage service charges, for concurrence in the House amendment.

Upon motion of Senator Waynick, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 393, a bill to amend section 2808 of the Consolidated Statutes of North Carolina, relating to municipal light and water plants, for concurrence in the House amendment.

Upon motion of Senator Waynick, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 538, a bill to further regulate the manufacture, sale, inspection and distribution of commercial fertilizer and fertilizer materials in the State of North Carolina and fixing additional requirements governing manufacturers, manipulators, jobbers and dealers and further provide a penalty for the punishment of violations of the fertilizer laws; to provide for penalties to be paid by manufacturers and manipulators of fertilizers in certain cases; to authorize the Commissioner of Agriculture to collect such penalties; to extend the Commissioner's authority in inspecting fertilizer and for other purposes, upon third reading.

The bill passes third reading, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark,

Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Walker, Waynick—41.

The bill is ordered enrolled.

H. B. 945, a bill providing for certain special tax in Jackson County, applicable also to the counties of Alamance, Alleghany, Currituck, Graham, Jones, McDowell and Tyrrell, upon third reading.

The bill passes third reading, ayes 35, noes 2, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Corey, Cross, Dempsey, Efird, Grady, Greene, Griffin of Chowan, Hairfield, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Noell, Patton, Rankin, Waynick—35.

Those voting in the negative are. Senators Francis and Fuller—2.

The bill is ordered enrolled.

H. B. 446, a bill to amend chapter 122 of the Public Laws of 1927 and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses.

Senator Rankin offers an amendment which is adopted and the bill being a roll call bill, takes its place upon the roll call Calendar for tomorrow.

H. B. 1334, a bill relating to remission of penalties on 1932 taxes in Pitt County.

Passes its second and third readings and is ordered enrolled.

H. B. 120, a bill to raise revenue.

Senators Blackstock, Francis, Hill and Rankin offer an amendment exempting certain commodities from Article V.

Upon the adoption of the amendment, Senator Bailey calls for the ayes and noes.

The call is sustained.

The amendment is adopted, ayes 46, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clark, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Walker, Waynick—46.

Upon motion of Senator Hill, the vote by which the amendment offered by him was adopted, is reconsidered.

The amendment is withdrawn.

Upon motion of Senator Blackstock, the vote by which the amendment offered by himself and Senator Francis, exempting certain articles from the provisions of Article V, is reconsidered.

The amendment is withdrawn.

Senator Walker offers an amendment which fails of adoption.



Senator Dunagan offers an amendment to section 207, allowing cities and towns to levy tax upon telephone companies, and upon its adoption, calls for the ayes and noes.

The call is not sustained.

The amendment fails of adoption.

Senator Efird offers an amendment, taxing telephone pay stations, which is adopted.

Senator McNeill of Cumberland moves that the vote by which the amendment offered by Senator Dunagan failed of adoption be reconsidered.

The motion fails to prevail.

Senator Cross offers an amendment reducing the tax on packing companies, which is adopted.

Upon motion of Senator Moore, the vote by which the amendment offered by him, increasing the tax on packing concerns, is reconsidered.

The amendment is withdrawn.

Senator Waynick offers an amendment which is adopted.

Senator Blackstock offers an amendment, increasing the tax upon picture and vaudeville theatres, and upon its adoption calls for the ayes and noes.

The call is sustained.

The President rules that the subject matter contained in this amendment offered, having been previously considered upon this reading, a two-thirds vote is necessary to adopt the amendment.

The amendment fails of adoption, ayes 23, noes 19, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Burgin, Corey, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hill, Hinsdale, Land, MacLean, McBryde, McNeill, of Ashe, Moore, Walker—23.

Those voting in the negative are: Senators Aiken, Bell, Clark, Cross, Dempsey, Dunagan, Efird, Greene, Gwyn, Hairfield, Hanes, Hartsell, Joyner, McDuffee, McNeill of Cumberland, Noell, Patton, Rankin, Waynick—19.

Upon motion of Senator Rankin, S. B. 606, a bill to empower the governing body of the city of Charlotte to relieve churches and synagogues of street and paving assessments, is taken from the Committee on Finance and referred to the Committee on Judiciary No. 2.

Upon motion of Senator Rankin, H. B. 1409, a bill to release church property in the town of Benson, Johnston County, from the payment of street and sidewalk paving assessments; H. B. 1350, a bill to release church property in the town of Boone, Watauga County, from the payment of street and sidewalk paving assessments; H. B. 1352, a bill providing for a special tax levy in Alexander County for special purposes, and H. B. 1333, a bill to allow the county commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said county, are taken from the Committee on Finance and referred to the Committee on Judiciary No. 1.

The President appoints as conferees on the part of the Senate, to consider the differences arising upon S. B. 493, a bill for the relief of the taxpayers of Gaston, Jackson, Oconeechee and Rich Square Townships of Northampton County, Senators Joyner and Summersill, and a message is ordered sent to the House of Representatives, informing that Body of such action.

Upon motion of Senator Clark, the Senate adjourns to meet Monday night at 8:00 o'clock.

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### ONE HUNDRED FIRST DAY

SENATE CHAMBER,

MONDAY, May 1, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Dr. A. B. Hunter of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senators Frank Armfield, F. P. McKenney and Honorable Felix Hebert, United States Senator from the State of Rhode Island, and Mr. Bonner, Reading Clerk of the Senate of South Carolina.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hartsell: S. B. 622, a bill to appoint a boxing commission for the county of Cabarrus.

Upon motion of Senator Hartsell, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Francis: S. B. 623, a bill to allow Haywood and Jackson Counties to come under the provisions of H. B. 1308 of the 1933 session of the General Assembly of North Carolina, relating to court procedure in Cherokee, Clay and Macon Counties.

Upon motion of Senator Francis, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Corey: S. B. 624, a bill to amend chapter 110, article 6 of the Consolidated Statutes, relating to chiropractic.

Referred to Committee on Judiciary No. 2.

By Senator Gwyn: S. B. 625, a bill to repeal chapter 322 of the Public Laws of 1931, so as to restrict motor vehicle trains to a combination of not more than two vehicles.

Referred to Committee on Public Roads.

By Senator Gwyn: S. B. 626, a bill to authorize the State Highway Commission to designate certain roads as light traffic roads.

Referred to Committee on Public Roads.



## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 397, a bill regulating the open season for game and providing for certain license fees in the county of Ashe.

Referred to Committee on Game Laws.

H. B. 597, a bill to provide an open season for game birds and animals in Wilson County, and to regulate hunting and fishing in said county.

Referred to Committee on Game Laws.

H. B. 774, a bill to amend the North Carolina Game Laws.

Referred to Committee on Game Laws.

H. B. 1232, a bill to appoint justices of the peace for the several counties of North Carolina:

Placed upon the Calendar.

H. B. 1463, a bill to fix the salary of the register of deeds of Yancey County.

Referred to Committee on Salaries and Fees.

H. B. 1467, a bill relating to the duties of the sheriff and county accountant of Caswell County.

Referred to Committee on Judiciary No. 1.

H. B. 1468, a bill relating to the enforcement of the prohibition law in Caswell County.

Referred to Committee on Judiciary No. 1.

H. B. 1469, a bill to repeal chapter 17 of the Public Laws of 1931, being "An act to amend section 1608 (f), Volume III of the Consolidated Statutes, relating to the general county court of Caswell County."

Referred to Committee on Courts and Judicial Districts.

HOUSE OF REPRESENTATIVES,

May 1, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that pursuant to your message of non-concurrence in S. B. 493, title "For the relief of the taxpayers of Gaston, Oconeechee and Rich Square Townships in Northampton County," the Speaker has appointed as conferees on the part of the House, Messrs. White, Young and Neal to confer with like appointees of your Body to the end that the differences arising may be adjusted.

Respectfully,

THAD EURE,

*Principal Clerk.*

HOUSE OF REPRESENTATIVES,

May 1, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House fails to concur in the Senate amendments to H. B. 1227, title, "To appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense," and asks for conference. For your information, the House has

appointed as conferees to act with like appointees of the Senate to adjust the differences, Messrs. McEachern, Moore and English.

Respectfully,

THAD EURE,

*Principal Clerk.*

The President appoints as conferees on the part of the Senate, Senators MacLean and Hinsdale, and a message is ordered sent to the House of Representatives informing that Body of such action.

#### ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 361, an act to repeal sections 5800, 5821, 5831, 5835, 5842, 5847, 5851, 5856, 5865, and chapter 56, Private Laws 1925, in so far as they are in conflict with this act, and to require the payment of tuition by all students in State supported institutions of higher learning in North Carolina.

S. B. 391, an act to amend the municipal finance act of North Carolina and more particularly section 2943 of the Consolidated Statutes as amended.

S. B. 392, an act to amend section 2806 of Consolidated Statutes of North Carolina so as to authorize cities to fix and collect sewerage service charges.

S. B. 572, an act fixing the fees of jurors in Clay and Macon Counties.

S. B. 587, an act to repeal S. B. 149, ratified February 28, 1933, entitled "An act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River, in Henderson County."

S. B. 593, an act to amend the charter of the town of Morganton providing for payment of taxes in partial or installment payments.

S. B. 597, an act to amend H. B. 1338, ratified April 21, 1933, entitled "An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates."

S. B. 598, an act to amend H. B. 1114, ratified on March 31, 1933, entitled "An act authorizing the city of Gastonia to issue tax anticipation certificates."

H. B. 538, an act to further regulate the manufacture, sale, inspection and distribution of commercial fertilizer and fertilizer materials in the State of North Carolina and fixing additional requirements governing manufacturers, manipulators, jobbers and dealers; and further provide a penalty for the punishment of violations of the fertilizer laws; to provide for penalties to be paid by manufacturers and manipulators of fertilizers in certain cases; to authorize the Commissioner of Agriculture to collect such penalties; to extend the commissioner's authority in inspecting fertilizer, and for other purposes.

H. B. 945, an act providing for certain special tax in Jackson County, applicable also to the counties of Alamance, Alleghany, Currituck, Graham, Jones, McDowell and Tyrrell.

H. B. 1150, an act to regulate piloting by persons not holding proper license.



H. B. 1277, an act to amend S. B. 313, passed by the General Assembly and ratified March 20, 1933, relating to the fee for registering Federal crop liens and Federal chattel mortgages.

H. B. 1281, an act to regulate the sale of milk bottles and containers in Pitt County.

H. B. 1296, an act to postpone tax sales in Yancey County.

H. B. 1334, an act relating to remission of penalties on 1932 taxes in Pitt County.

H. B. 1392, an act to provide for the redemption of property sold for taxes in Yancey County or in any municipality therein.

H. R. 1461, a joint resolution to have printed ten thousand copies of S. B. 525, it being "An act to provide for and regulate the manufacture, transportation, and sale of certain beverages."

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 619, a bill to authorize the board of commissioners for the county of Forsyth to convey to the city of Winston-Salem an easement for street and sidewalk purposes of a portion of the courthouse property and to provide for the improvement of the same and the assessment of benefits resulting therefrom, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Griffin of Chowan, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—39.

The bill is ordered sent to the House of Representatives.

H. B. 1195, a bill supplemental to H. B. 1033, the same being, a bill to be entitled "An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County," ratified on the 3d of April, 1933, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Griffin of Chowan, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—39.

The bill is ordered enrolled.

H. B. 1295, a bill to regulate peddling in the city of Elizabeth City, upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Griffin of Chowan,

Hairfield, Hanes, Hartsell, Hill, Hinsdale, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—39.

H. B. 1360, a bill authorizing the city of Lexington to borrow money for the payment of expenses incurred in connection with repairing, renovating and improving certain property owned by said city, upon third reading.

Senator Burgin offers an amendment, held immaterial, which is adopted.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efrid, Francis, Fuller, Griffin of Chowan, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—39.

The bill is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1378, a bill to allow the governing bodies of the towns of Bladenboro and Elizabethtown to refund local improvement assessments, upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efrid, Francis, Fuller, Griffin of Chowan, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—39.

H. B. 1399, a bill to provide for limitation of the net debt of the city of Burlington, upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efrid, Francis, Fuller, Griffin of Chowan, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—39.

S. B. 609, a bill to provide for the redemption of property sold for taxes in Mitchell and Madison Counties.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1231, a bill to allow fishing in the streams of Yadkin County with trot lines, baskets and seines.

Passes its second and third readings and is ordered enrolled.

H. B. 1233, a bill to regulate the grand jury of Mecklenburg County.

Passes its second and third readings and is ordered enrolled.

H. B. 1299, a bill to amend section 6054 of Volume III of the Consolidated Statutes, exempting Avery county from the primary law for candidates for county offices.

Passes its second and third readings and is ordered enrolled.



H. B. 1300, a bill to amend H. B. 1217, entitled, "An act to amend the fishing laws as to Cherokee County," ratified April 10, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1313, a bill to protect vendors of personal property upon installment payment plan, applies to Wake County only.

Passes its second and third readings and is ordered enrolled.

H. B. 1314, a bill to authorize the issuance of scrip by Currituck County.

Passes its second and third readings and is ordered enrolled.

H. B. 1327, a bill to allow the commissioners of the town of Hendersonville to accept bonds and/or notes in payment of certain taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 1332, a bill to allow fishing in the streams of Wilkes, Alexander and Davie Counties with trot lines and baskets.

Passes its second and third readings and is ordered enrolled.

H. B. 1342, a bill to provide for the nomination of the officers of the town of Benson, Johnston County, by a primary instead of by a convention.

Passes its second and third readings and is ordered enrolled.

H. B. 1362, a bill to amend section 1443 of the Consolidated Statutes, relative to the courts of Hoke County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1369, a bill to authorize and empower the board of commissioners of the town of Morehead City to extend the time for the payment of special assessments for local improvements.

Passes its second and third readings and is ordered enrolled.

H. B. 1373, a bill to provide for the expenses of revaluation of property in Yancey County.

Passes its second and third readings and is ordered enrolled.

H. B. 1376, a bill to amend chapter 26, Private Laws 1929, relating to the auditing of the books of the town of Vanceboro, Craven County, North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 1377, a bill to amend section 4 of chapter 25 of the Public-Local Laws of 1919, relating to collection of taxes in Gates County.

Passes its second and third readings and is ordered enrolled.

H. B. 1393, a bill to regulate license or franchise taxes on building and loan associations in Mecklenburg County.

Passes its second and third readings and is ordered enrolled.

H. B. 1396, a bill to provide for a more efficient auditing of the books and accounts of the officers of Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 1402, a bill to amend S. B. 180, entitled, "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates, ratified March 27, 1933, relating to Hertford County."

Passes its second and third readings and is ordered enrolled.

H. B. 1412, a bill authorizing the commissioners of the town of Blowing Rock to postpone the sale of land for delinquent taxes for the years 1932 and 1933 until the first Monday in September.

Passes its second and third readings and is ordered enrolled.

H. B. 1445, a bill to make the office of county accountant of Lenoir County elective.

Upon motion of Senator Summersill, the bill is referred to the Committee on Counties, Cities and Towns.

H. B. 1446, a bill to repeal chapter 88, Public-Local Laws 1929, relating to pool and billiard rooms in Caldwell County.

Passes its second and third readings and is ordered enrolled.

H. B. 1451, a bill to amend H. B. 565 same being a bill to be entitled, "An act to amend chapter 520 of the Public-Local Laws of 1915, being "An act to establish a special court for Forsyth County with civil jurisdiction to be known as Forsyth County Court and the amendments thereto, relating to terms of court," ratified March 16, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1436, a bill relating to disposition and use of back taxes collected in Carver's Creek Township Special School Tax District, Bladen County.

Passes its second and third readings and is ordered enrolled.

H. B. 1437, a bill to amend H. B. 880, ratified March 28, 1933, being "An act providing for renewal notes and mortgages due Columbus County."

Passes its second and third readings and is ordered enrolled.

H. B. 1440, a bill to amend chapter 196, Private Laws of the State of North Carolina, 1929, being "An act to amend the act incorporating the city of Thomasville, North Carolina."

Passes its second and third readings and is ordered enrolled.

H. B. 1442, a bill to create a game commission for Burke County and to regulate fishing in certain waters of said county.

Passes its second and third readings and is ordered enrolled.

H. B. 120, a bill to raise revenue, upon second reading:

The bill passes second reading, ayes 24, noes 13, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Bell, Blackstock, Bland, Blue, Clark, Dempsey, Dunagan, Efird, Grady, Griffin of Chowan, Hanes, Hartsell, Hill, Land, MacLean, McBryde, McDuffee, Moore, Patton, Rankin, Summersill—24.

Those voting in the negative are: Senators Barker, Blackburn, Boggan, Burgin, Clement, Corey, Cross, Francis, Fuller, Hairfield, Kirkpatrick, Sparger, Walker—13.

The following pairs are announced, Senator Noell, "aye," Senator McNeill of Ashe, "no"; Senator Hinsdale, "aye," Senator Ingram, "no"; Senator Beatty, "aye," Senator Greene, "no"; Senator Brown, "aye," Senator Gwyn, "no."

Senator Kirkpatrick submits the following statement in explanation of his vote upon the revenue bill, which without objection, is ordered entered in the Journal:



RALEIGH, N. C.  
IN THE SENATE CHAMBER,  
May 1, 1933.

*Mr. President and Fellow Senators:*

I desire to explain my position in casting my vote against the sales tax, as provided for in Article 5, Schedule E, page 226.

I am perfectly willing to do all in my power and lend my coöperation and vote in balancing the budget and maintaining the honor and credit of the State of North Carolina, and I will go the limit in voting to provide revenue through legitimate and proper sources.

I believe in providing the necessary funds for the education of the children of North Carolina and the maintenance of the charitable, eleemosynary and benevolent institutions of the State, and also for their general operating expenses for the next biennium.

However, in carrying out the mandate for the above-needed measures, I cannot support the sales tax bill as proposed to raise revenue for the following reasons:

(a) I believe the present law as proposed is subversive of the fundamental principles of constitutional democracy;

(b) I am further of the opinion that the Machinery providing for the enforcement of the collection of sales tax against the merchants of North Carolina, and the imposition thereunder to be imposed upon the citizens of North Carolina, is an invasion of their sacred personal liberties and rights;

(c) Further, that said law as proposed is oppressive, not only on the merchant but also on the consumer, and is in direct violation of the inalienable rights of the citizen as granted to him by the Constitution to the right of pursuit of happiness, the preservation of his property rights, and the full enjoyment of liberty;

(d) That the sales tax law as proposed will prove highly detrimental, if not destructive, to the mercantile interest of North Carolina, and will also retard the general income heretofore paid by merchants into the State coffers;

(e) That this Legislature has no right to confer upon the "Director of the Budget" the responsibility and constitutional prerogative of the Governor, as proposed in section 403, sub-section b, lines twenty-five through twenty-nine of said Article 5, Schedule E of the sales tax bill;

(f) And last, Mr. President and Fellow Senators, under the proposed sales tax bill, constitutional government in North Carolina is being menaced by the growing centralization of power in the hands of bureaus and commissions to the destruction of the liberties of the people;

(g) That the present act magnifies the State at the expense of the individual, and when the individual's freedom is taken away, he is in slavery and servitude even though his master be the State.

Therefore, for the reasons above assigned, I cast my vote, "no."

T. L. KIRKPATRICK,  
*Senator.*

Senator McNeill of Cumberland, by unanimous consent, is allowed to enter in the record that he was detained from the Senate Chamber by a long

distance telephone call, while the vote was being taken on the Revenue Bill, and that if he had been present, he would have voted, "no."

Senator Joyner, by unanimous consent, is allowed to enter in the record that he was not present when the vote on the Revenue Bill was being taken, due to the train upon which he was returning to Raleigh from home being some late, and that if he had been present and allowed to vote, he would have voted, "aye."

H. B. 446, a bill to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses, upon second reading.

The bill passes second reading, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—44.

S. B. 484, a bill to authorize the issuance of funding bonds of the State, upon third reading.

The bill passes third reading, ayes 44, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker—44.

The bill is ordered enrolled.

S. B. 317, a bill to amend chapter 279, Public Laws 1931, the same being "An act to provide for the regulation of Workmen's Compensation Insurance rates."

Senator Fuller offers an amendment which is adopted.

Upon the passage of the bill on its second reading, Senator Kirkpatrick calls for the ayes and noes.

The call is sustained.

The bill failed to pass its second reading, ayes 15, noes 23, as follows:

Those voting in the affirmative are: Senators Bagley, Barker, Beatty, Bell, Blackstock, Blue, Burgin, Clement, Dunagan, Francis, Fuller, Griffin of Chowan, Hairfield, Hill, Walker—15.

Those voting in the negative are: Senators Aiken, Blackburn, Bland, Clark, Cross, Dempsey, Efird, Grady, Greene, Gwyn, Hartsell, Hinsdale, Joyner, Kirkpatrick, Land, Long, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Rankin, Sparger, Summersill—23.

Senator Hinsdale moves that the vote by which the bill failed to pass its second reading be reconsidered and that this motion lie upon the Table.

Upon this motion Senator Fuller calls for the ayes and noes.

The call is sustained.



The motion fails to prevail, ayes 19, noes 21, as follows:

Those voting in the affirmative are: Senators Aiken, Blackburn, Bland, Clark, Cross, Dempsey, Efrid, Grady, Greene, Hartsell, Hinsdale, Joyner, Kirkpatrick, Land, Long, McDuffee, Noell, Rankin, Summersill—19.

Those voting in the negative are: Senators Bagley, Barker, Beatty, Bell, Blackstock, Blue, Burgin, Clement, Corey, Dunagan, Francis, Fuller, Griffin of Chowan, Hairfield, Hanes, Hill, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Walker—21.

Senator Gwyn, when his name was called answered "present."

Upon motion of Senator Burgin, H. B. 1143, a bill to fix the status of certain acreage made by intra-coastal waterway dredging operations, is taken from the Committee on Conservation and Development and referred to the Committee on Education.

Upon motion of Senator Long, S. B. 617, a bill to permit A. G. Sharp of Ashe County, to take the examination given by the State Board of Dental Examiners, is ordered recalled from the House of Representatives.

Upon motion of Senator Francis, the rules are suspended in order that he may tomorrow lodge a motion to reconsider the vote by which S. B. 589, a bill to allow persons in Haywood, Henderson, Transylvania, Cherokee and Macon Counties to come under the provisions of H. B. 1321 of the 1933 session, etc., failed to pass its third reading.

Upon motion of Senator Dunagan, the Senate adjourns to meet tomorrow at 12:00 o'clock M.

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## ONE HUNDRED SECOND DAY

SENATE CHAMBER,

TUESDAY May 2, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. S. Farmer of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the lobby are extended to Professor Griffin and Bender Hill School of Person County.

Upon motion of Senator Griffin of Franklin, H. B. 1333, a bill to allow the county commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said county, is taken from the Committee on Judiciary No. 1 and placed upon the Calendar.

Upon motion of Senator Francis, the vote by which S. B. 589, a bill to allow persons in Haywood, Henderson, Transylvania, Cherokee and Macon counties to come under the provisions of H. B. 1321 of the 1933 session of the General Assembly of North Carolina, relating to payment of debts and other obligations, failed to pass its third reading is reconsidered.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 575, a bill to promote orderly liquidation of closed and insolvent banks in the State of North Carolina, reported without prejudice.

S. B. 583, a bill to allow E. T. Watson, a justice of the peace of Brogden Township, Wayne County, and a duly licensed attorney-at-law of North Carolina, to practice law except in those matters with which he may be, or may have been connected as such justice of the peace, with an unfavorable report.

S. B. 584, a bill to amend chapter 110, article 4 of Consolidated Statutes of 1919, relating to the practice of optometry, with a favorable report.

S. B. 600, a bill to amend section 1562 of the Consolidated Statutes, relating to concurrent jurisdiction of courts of justices of the peace and recorder's courts, with an unfavorable report.

S. B. 607, a bill to validate certain sales by commissioners under judgments of the Superior Courts of North Carolina, in actions for the foreclosure of mortgages and deeds of trust, where the judges of the Superior Courts have ordered the commissioners so appointed to sell the property conveyed by the mortgage or deed of trust to report the sales to the clerk of the Superior Court for confirmation, with a favorable report.

H. B. 310, a bill to repeal sections 1786, 1787 and 1788 of the Consolidated Statutes of North Carolina, known as "Book-Debt" Statutes, and to substitute in lieu thereof a new statute, with an unfavorable report.

H. B. 973, a bill to amend section 109 of the Consolidated Statutes, relative to final accounts and discharge of executors and administrators, with an unfavorable report.

H. B. 1201, a bill to amend section 962 of the Consolidated Statutes as amended by chapter 15 of the Public Laws of 1929, by adding another paragraph to said section, with a favorable report.

H. B. 1346, a bill to amend sections 1260 and 1276 of the Consolidated Statutes by including Haywood County within the provisions of said sections, with a favorable report.

H. B. 1352, a bill providing for a special tax levy in Alexander County for special purposes, with a favorable report.

H. B. 1141, a bill to amend H. B. 158, ratified March 13, 1933, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes so as to provide an alternative method of notification," with a favorable report.

H. B. 1166, a bill to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony of wife against her husband, in criminal prosecutions for the abandonment and non-support of children, with a favorable report.

H. B. 1167, a bill to dispense with affidavit of six months knowledge of grounds for divorce where such divorce is sought on the grounds of separation, with an unfavorable report.



H. B. 1192, a bill to amend chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks by adding Franklin County after the words Hyde County, with a favorable report.

H. B. 1368, a bill to amend chapter 454 of the Public-Local Laws of 1931, relating to the duties of the clerk of the recorder's court of Cleveland County, with an unfavorable report.

H. B. 1383, a bill to amend H. B. 451, ratified March 10, 1933, by exempting Caldwell County from the provisions of the act, with a favorable report.

H. B. 1395, a bill to amend chapter 193, Public-Local Laws 1921, fixing the salary of the sheriff of Yadkin County and to allow the board of commissioners to fix the salary of the treasurer of said county, and to empower said board to levy an additional tax of five cents for the maintenance of the jail and courts of said county, with an unfavorable report.

H. B. 1452, a bill to prohibit the sale of beer, wine or other intoxicating liquors within one and one-half miles of Guilford College, with a favorable report.

H. B. 1453, a bill to prohibit the sale of beer, wine and other intoxicating liquors within one and one-half miles of Oak Ridge Military Institute, with a favorable report.

H. B. 1467, a bill relating to the duties of the sheriff and county accountant of Caswell County, with a favorable report.

H. B. 1468, a bill relating to the enforcement of the prohibition law in Caswell County, with an unfavorable report.

By Senator Hill, for the Committee on Banks and Banking:

H. B. 1088, a bill to amend chapter 149 of the Public Laws of 1927, which chapter is known as the capital issues law, relating to the regulation of the sale of securities within the State of North Carolina, with a favorable report.

H. B. 1372, a bill to authorize the Commissioner of Banks to pay over certain funds of the Scotland Neck Bank held by him for distribution to the depositors of said bank, with a favorable report.

By Senator McDuffee, for the Committee on Propositions and Grievances:

H. B. 1269, a bill to repeal S. B. 158, the same being a bill to be entitled "An act providing for the inspection of meats and meat markets in the village of Haw River, in Alamance County," ratified February 20, 1933, with a favorable report.

By Senator Gwyn, for the Committee on Public Roads:

S. B. 625, a bill to repeal chapter 322 of the Public Laws 1931, so as to restrict motor vehicle trains to a combination of not more than two vehicles, with a favorable report.

S. B. 626, a bill to authorize the State Highway Commission to designate certain roads as light traffic roads, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Dunagan: S. B. 627, a bill to provide for certain special taxes in Rutherford County.

Placed upon the Calendar.

By Senator Blue: S. B. 628, a bill to provide for the setting up of uniform systems of county and municipal governments so as to permit the several counties and municipalities to reduce expenses when the same is deemed proper.

Referred to Committee on Finance.

By Senator Moore: S. B. 629, a bill to make original letters, authenticated by affidavit, competent in evidence in civil cases.

Referred to Committee on Judiciary No. 1.

By Senator Kirkpatrick: S. B. 630, a bill to provide the regulation and taxation of peddlers in the city of Charlotte, North Carolina.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1188, a bill to amend section 2591 of the Consolidated Statutes, relating to the reopening of judicial and other sales on advance bid.

Referred to Committee on Judiciary No. 1.

H. B. 1208, a bill to amend section 5960 of the Consolidated Statutes, relating to absentee voting, applicable only to Graham, Jackson, Rutherford and Swain counties.

Placed upon the Calendar.

H. B. 1306, a bill to amend sections 2694, 2696, 2697, 2699, and 2702 of the Consolidated Statutes, relating to public libraries.

Placed upon the Calendar.

H. B. 1403, a bill to amend the tax foreclosure act of 1933, known as H. B. 158, to exempt from its provisions Alamance County and the municipalities therein.

Placed upon the Calendar.

H. R. 1471, a joint resolution directing the Secretary of State to send a copy of H. B. 15 to each of the registers of deeds of the several counties of the State.

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES,

May 2, 1933.

*Mr. President:*

In accordance with your request we are herewith returning S. B. 617, for further consideration by your Honorable Body.

Respectfully,

THAD EURE,  
*Principal Clerk.*

Upon motion of Senator Long, the vote by which the bill passed its third reading is reconsidered.

Upon motion of Senator Long, the bill is re-referred to the Committee on Public Health.



## ENROLLED BILLS

Senator Efrid, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 470, an act to amend the primary law for Mitchell County.

H. B. 1195, an act supplemental to H. B. 1033, the same being a bill to be entitled "An act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the Constitutional six months school term in Rutherford County," ratified on the 3rd of April, 1933.

H. B. 1231, an act to allow fishing in the streams of Yadkin County with trot lines, baskets and seines.

H. B. 1233, an act to regulate the grand jury of Mecklenburg County.

H. B. 1299, an act to amend section 6054 of Volume III of the Consolidated Statutes, exempting Avery County from the primary law for candidates for county offices.

H. B. 1300, an act to amend H. B. 1217, entitled "An act to amend the fishing laws as to Cherokee County," ratified April 10, 1933.

H. B. 1313, an act to protect vendors of personal property upon installment payment plan. Applies to Wake County only.

H. B. 1314, an act to authorize the issuance of scrip by Currituck County.

H. B. 1327, an act to allow the commissioners of the town of Hendersonville to accept bonds and/or notes in payment of certain taxes.

H. B. 1332, an act to allow fishing in the streams of Alexander, Davie and Wilkes Counties with trot lines or baskets.

H. B. 1342, an act to provide for the nomination of the officers of the town of Benson, Johnston County, by a primary instead of by a convention.

H. B. 1369, an act to authorize and empower the board of commissioners of the town of Morehead City to extend the time for the payment of special assessments for local improvements.

H. B. 1370, an act to empower the governing body of the town of Weaver-ville, Buncombe County, to relieve churches of paving assessments, applicable also to the municipalities of Clyde, Canton and Hazelwood, in Haywood County.

H. B. 1373, an act to provide for the expenses of revaluation of property in Yancey County.

H. B. 1376, an act to amend chapter 26, Private Laws 1929, relating to the auditing of the books of the town of Vanceboro, Craven County, North Carolina.

H. B. 1377, an act to amend section 4 of chapter 25 of the Public-Local Laws of 1919, relating to collection of taxes in Gates County.

H. B. 1393, an act to regulate license or franchise taxes on building and loan associations in Mecklenburg County.

H. B. 1396, an act to provide for a more efficient auditing of the books and accounts of the officers of Columbus County.

H. B. 1402, an act to amend S. B. 180, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933, relating to Hertford County.

H. B. 1412, an act authorizing the commissioners of the town of Blowing Rock to postpone the sale of land for delinquent taxes for the years 1932 and 1933 until the first Monday in September.

H. B. 1436, an act relating to disposition and use of back taxes collected in Carver's Creek Township Special School Tax District, Bladen County.

H. B. 1440, an act to amend chapter 196, Private Laws of the State of North Carolina, 1929, being "An act to amend the act incorporating the city of Thomasville, North Carolina."

H. B. 1442, an act to create a game commission for Burke County and to regulate fishing in certain waters of said county.

H. B. 1446, an act to repeal chapter 88, Public-Local Laws 1929, relating to pool and billiard rooms in Caldwell County.

H. B. 1451, an act to amend H. B. 565, same being a bill to be entitled "An act to amend chapter 520 of the Public-Local Laws of 1915, being "An act to establish a special court for Forsyth County with civil jurisdiction to be known as Forsyth County Court and the amendments thereto, relating to terms of court," ratified March 16, 1933.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1378, a bill to allow the governing bodies of the towns of Bladenboro and Elizabethtown to refund local improvement assessments, upon third reading.

The bill passes third reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Joyner, Kirkpatrick, Land, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—40.

The bill is ordered enrolled.

H. B. 1295, a bill to regulate peddling in the city of Elizabeth City, upon third reading.

The bill passes third reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Joyner, Kirkpatrick, Land, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—40.

The bill is ordered enrolled.

H. B. 1399, a bill to provide for limitation of the net debt of the city of Burlington, upon third reading.

The bill passes third reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Greene, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Joyner, Kirkpatrick, Land, McBryde,



McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—40.

The bill is ordered enrolled.

H. B. 1302, a bill to amend H. B. 135, ratified April 11, 1933, entitled "An act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein."

Passes its second and third readings and is ordered enrolled.

H. B. 1333, a bill to allow the county commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said county, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hairfield, Hanes, Hill, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—40.

H. B. 120, a bill to raise revenue, upon third reading.

Senator Hinsdale offers an amendment, proposing to reduce the tax under subsection 3 of section 203, held immaterial, and upon its adoption, Senator Grady calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 3, noes 41, as follows:

Those voting in the affirmative are: Senators Beatty, Hanes, Hinsdale—3.

Those voting in the negative are: Senators Aiken, Bagley, Bailey, Barker, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hairfield, Hartsell, Hill, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—41.

The bill passes third reading, ayes 26, noes 18, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Blackstock, Bland, Blue, Clark, Dempsey, Dunagan, Efird, Grady, Hanes, Hartsell, Hill, Joyner, Land, MacLean, McBryde, McDuffee, Moore, Noell, Patton, Rankin, Summersill, Waynick—26.

Those voting in the negative are: Senators Barker, Blackburn, Boggan, Burgin, Clement, Corey, Cross, Francis, Fuller, Greene, Griffin of Franklin, Hairfield, Kirkpatrick, Long, McNeill of Ashe, McNeill of Cumberland, Sparger, Walker—18.

The following pairs are announced, Senator Brown, "aye," Senator Gwyn, "no"; Senator Hinsdale, "aye," Senator Ingram, "no."

The bill is ordered sent to the House of Representatives for concurrence in the Senate amendments.

Senator Boggan submits the following explanation of his vote, which without objection, is ordered entered upon the record.

By unanimous consent, it is ordered that Senator W. K. Boggan, of Anson County, be allowed to have the following explanation of his vote on House Bill No. 120, a bill to raise revenue, made of record.

I am a Democrat. Believing as I do, that a general sales tax is a violation of the principles of the great Democratic Party, and against the principles and teachings of its greatest leaders from Thomas Jefferson, its illustrious and immortal founder, to the present time, and against my own convictions and campaign pledges, I cannot support a revenue bill, which has incorporated in it a general sales tax, which, in my opinion, is an unnecessary and unjust burden upon the masses of the people and upon the merchants of this State, I vote, "no."

H. B. 446, a bill to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses, upon third reading.

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackburn, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Corey, Cross, Efrid, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hill, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—40.

The bill is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 580, a bill to amend chapter 83, Public Laws 1931, relating to the release of land upon payment of tax on each particular piece and to provide for subrogation and contribution to those paying taxes on lands of others.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 345, a bill regulating the purchase and character of the fuel for use in the rural, public schools of North Carolina.

The substitute offered by the committee is adopted.

Senator Kirkpatrick offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 546, a bill relating to appeals from levies and assessments for taxation of unlisted property.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 472, a bill to amend section 6 of Public Laws of 1923, in reference to procedure in zoning by municipalities.

Upon motion of Senator Hinsdale, the bill is laid upon the Table.

S. B. 582, a bill to permit the deposit of moneys of the State, county, city, town, or political sub-division of the State, in certain qualified banks, without the deposit by such banks of depository bonds or security.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 586, a bill to abolish hunting and fishing licenses in Vance County. Senator Greene offers an amendment which fails of adoption.

Several Senators offer amendments which fail of adoption.

Senator Corey moves that the bill with the pending amendments, do lie upon the Table.



The motion fails to prevail.

The bill fails to pass its second reading.

S. B. 594, a bill to clarify and/or amend the Appropriations Act of 1933, H. B. 125, and to authorize certain transfers and allotments under certain appropriations under chapter 429 of the Public Laws of 1931.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 595, a bill to amend section 2583 of the Consolidated Statutes of 1919, Volume I.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 605, a bill prescribing the manner of advertisement and sale of school property.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1198, a bill to amend H. B. 221, session 1933, ratified March 3, 1933, entitled "An act to provide for the organization as an agency of the State of North Carolina, of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment," so as to provide for the issuance of license to practice and for the constitution of the board of law examiners.

Passes its second and third readings and is ordered enrolled.

H. B. 1408, a bill relating to the salary of the mayor and commissioners of the town of Benson, Johnston County.

Passes its second and third readings and is ordered enrolled.

H. B. 968, a bill to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the sub-divisions thereof.

Senator Hinsdale offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 920, a bill to amend section 220 (b), Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities [of] affiliated or subsidiary corporations, upon third reading.

Upon motion of Senator Hill, the vote by which the Senate amendment was adopted, is reconsidered, and the amendment is withdrawn.

Senator Hill offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 1001, a bill creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by the establishment of the Great Smoky Mountains National Park.

The bill fails to pass its second reading.

H. B. 1180, a bill to permit the governing bodies of the various counties, cities, towns, and other units which have funds in failed banks to accept the

bonds of said counties, cities, towns or units in settlement of the claim for said funds or any judgment recovered on account of same.

Passes its second and third readings and is ordered enrolled.

H. B. 1193, a bill to provide for the professional education of qualified members of the negro race.

Upon motion of Senator Clement, the bill is referred to the Committee on Finance.

H. B. 1237, a bill to amend chapter 60, section 38, Public Laws of 1931, relating to the duties of local governing boards.

Passes its second and third readings and is ordered enrolled.

S. B. 589, a bill to allow persons in Haywood, Henderson, Transylvania, Cherokee and Macon counties to come under the provisions of H. B. 1321 of the 1933 session of the General Assembly of North Carolina, relating to payment of debts and other obligations.

Senator Francis offers a substitute which is adopted.

Several Senators offer amendments which are adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 1435, a bill providing for the appointment of a court reporter for the second judicial district of North Carolina.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Hinsdale, H. B. 546, a bill by which the service of notice of summons by publication can be permanently proven by record, is taken from the unfavorable Calendar and re-referred to the Committee on Judiciary No. 1.

Upon motion of Senator McNeill of Cumberland, the rules are suspended in order that he may tomorrow move to reconsider the vote by which S. B. 317, a bill to amend chapter 279, Public Laws 1931, the same being, "An act to provide for the regulation of Workmen's Compensation Insurance rates," failed to pass its second reading.

Upon motion of Senator Hairfield, H. B. 1008, a bill to amend the charter of the town of Granite Falls, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Grady, H. B. 1408, a bill relating to the salary of the mayor and commissioners of the town of Benson, Johnston County, is taken from the Committee on Salaries and Fees and placed upon the Calendar.

Upon motion of Senator Cross, the Senate adjourns to meet tomorrow at 12:00 o'clock m.

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### ONE HUNDRED THIRD DAY

SENATE CHAMBER,

WEDNESDAY, May 3, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. Edgar Goold, Saint Augustine College of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his



motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to ex-Senators R. L. Blue and Elbert S. Peele.

Upon motion of Senator Patton, the vote by which H. B. 1001, a bill creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by the establishment of the Great Smoky Mountains National Park, failed to pass its second reading is reconsidered.

Upon motion of Senator Bailey, H. B. 1180, a bill to permit the governing bodies of the various counties, cities, towns and other units which have funds in failed banks to accept the bonds of said counties, cities, towns or units in settlement of the claim for said funds or any judgment recovered on account of same, is ordered recalled from the Enrolling Office.

Upon motion of Senator Bailey, the vote by which the bill passed its third reading is reconsidered.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

H. B. 1380, a bill validating certain tax sales in the town of Columbus, Polk County, and for other purposes, with a favorable report.

H. B. 1297, a bill to amend S. B. 180 of the session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said act, with a favorable report.

S. B. 628, a bill to provide for the setting up of uniform systems of county and municipal governments so as to permit the several counties and municipalities to reduce expenses when the same is deemed proper, with a favorable report.

H. B. 1389, a bill to authorize the board of county commissioners of Swain County to purchase the building known as the Citizens Bank Building in the town of Bryson City, with a favorable report.

H. B. 1123, a bill to amend chapter 249, Public Laws 1931, relating to the extension of special assessments, with an unfavorable report.

H. B. 1386, a bill to aid the collection of back taxes in the city of Hendersonville, with a favorable report.

H. B. 1385, a bill to allow the commissioners of the town of Laurel Park in Henderson County to accept bonds and/or notes in payment of taxes, with a favorable report.

H. B. 1064, a bill to provide for the collection of delinquent taxes on real estate in Polk County, with a favorable report as amended.

H. B. 1063, a bill to validate the foreclosure of tax certificates in Polk County, with a favorable report.

H. B. 1251, a bill to allow counties and other units to invest in bonds of their said unit notwithstanding the fact that they have been in default in payment of principal and interest of bonded indebtedness, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

H. B. 559, a bill to provide for the merger or consolidation of two or more charitable, educational, social, ancestral, historical, penal or reformatory corporations not under the patronage and control of the State, reported without prejudice.

H. B. 1221, a bill to extend the period for commencement of actions on certain evidences of indebtedness of Carteret County, with a favorable report.

H. B. 1350, a bill to release church property in the town of Boone, Watauga County, from the payment of street and sidewalk paving assessments, with a favorable report as amended.

H. B. 1409, a bill to release church property in the town of Benson, Johnston County, from the payment of street and sidewalk paving assessments, with a favorable report as amended.

By Senator Grady, for the Committee on Judiciary No. 2:

S. B. 606, a bill to empower the governing body of the city of Charlotte to relieve churches and synagogues of street and paving assessments, with a favorable report.

H. B. 1430, a bill to regulate and prohibit the possession and use of slot machines and other devices in Pasquotank County, with a favorable report.

H. B. 1427, a bill to permit the discharge of the grand jury in Surry County when it has completed the business of the term, with a favorable report.

H. B. 1449, a bill authorizing the transfer of certain criminal cases from the Superior Court of Guilford County to the municipal court of the city of Greensboro, with a favorable report.

S. B. 610, a bill to require and authorize the county commissioners of Mitchell County, North Carolina, to have all notices and foreclosure proceedings published in and at the county seat of said Mitchell County, with an unfavorable report.

S. B. 624, a bill to amend chapter 110, article 6 of the Consolidated Statutes, relating to chiropractic, with a favorable report.

S. B. 555, a bill to amend section 2591 of the North Carolina Code of 1927, relating to reopening judicial sales under execution, with a favorable report.

S. B. 543, a bill to amend section 4323 of the Consolidated Statutes, relating to interfering with gas, electric and steam appliances, with a favorable report.

H. B. 1190, a bill to amend section 3189 of the Consolidated Statutes so as to eliminate the necessity of kissing the Bible when taking an oath, with a favorable report.

H. B. 1172, a bill to legalize the probate of corporations taken prior to the first day of January, 1918, with a favorable report.

H. B. 1421, a bill to amend article 22 of chapter 27 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of recorders' courts, with the provisions of this act applying only to the county of Carteret, with a favorable report.

H. B. 1441, a bill to give owners of peanut pickers and threshing machines a lien on peanuts picked in Chowan County, with an unfavorable report.



By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 1325, a bill to amend chapter 576 of the Public-Local Laws of 1919, relative to fees to the clerk of Superior Court of Guilford County, with a favorable report.

H. B. 1394, a bill to regulate the fees of the sheriff of Surry County for capturing stills used in the manufacture of intoxicating liquors, with a favorable report.

S. B. 267, a bill relating to the compensation of the sheriff and tax collector of Cherokee County, with a favorable report.

By Senator Hanes, for the Committee on Insurance:

S. B. 427, a bill to amend the North Carolina Workmen's Compensation Act, with an unfavorable report.

H. B. 905, a bill to amend chapter 120, Public Laws of 1929, the same being known as "The Workmen's Compensation Act," relating to settlements in cases involving third parties, and to the filing of claims, with a favorable report as amended.

H. B. 361, a bill to amend chapter 120 of Public Laws of 1929, exempting saw mills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act, reported without prejudice.

By Senator Fuller, for the Committee on Game Laws:

H. B. 635, a bill to regulate the hunting of foxes and/or other wild animals in Madison County, with an unfavorable report.

H. B. 699, a bill to amend chapter 431 of Public-Local Laws of 1927, reducing the shooting license for residents of North Carolina in Currituck County as to migratory fowls, from five dollars to one dollar, with an unfavorable report.

H. B. 774, a bill to amend the North Carolina Game Laws, with a favorable report as amended.

H. B. 807, a bill regulating hunting license in Hyde County, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

H. B. 808, a bill to amend chapter 51, Public Laws of 1927, relating to open season on raccoon and opossum, with an unfavorable report.

H. B. 1328, a bill to protect pheasants in the county of Iredell, with a favorable report.

H. B. 1418, a bill to repeal H. B. 752, ratified the 20th day of March, 1933, entitled "An act to amend chapter 51, Public Laws of 1927, relating to hunting wild turkeys in Guilford County," with a favorable report.

S. B. 592, a bill to amend chapter 143, Public Laws of 1931, allowing hunting and killing of foxes at any time in Henderson County, with a favorable report.

H. B. 397, a bill regulating the open season for game and providing for certain license fees in the county of Ashe, with an unfavorable report.

H. B. 597, a bill to provide an open season for game birds and animals in Wilson County, and to regulate hunting and fishing in said county, with an unfavorable report.

H. B. 610, a bill to regulate the hunting of foxes in Caswell County, with a favorable report.

By Senator Aiken, for the Committee on Courts and Judicial Districts:

S. B. 620, a bill to amend section 1608 of Volume III of the Consolidated Statutes, placing Ashe County under the provisions of the general law relating to the establishment of recorder's courts, with a favorable report.

H. B. 1176, a bill to authorize the board of commissioners of Watauga County, in their discretion, to abolish the recorder's court of said county, with a favorable report.

By Senator Burgin, for the Committee on Conservation and Development:

S. B. 603, a bill to establish a system of rural electrification under State control and to provide means for the establishment and maintenance of facilities for the transportation and distribution of electric power in connection therewith, with a favorable report.

S. B. 618, a bill to preserve the recreational advantages of the State lakes, reported without prejudice.

H. B. 1401, a bill petitioning the President of the United States to authorize the employment of funds and labor designated in the Reforestation Act for use on private lands for the public benefit, with a favorable report.

H. B. 1447, a bill to provide for the erection of a retaining wall between Waccamaw Lake and the town of Lake Waccamaw, with a favorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 1411, a bill to amend chapter 37, Private Laws of 1909, relating to the charter of the city of Lenoir, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

By Senator MacLean, for the Committee on Education:

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor, with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 345, a bill regulating the purchase and character of the fuel for use in the rural public schools of North Carolina.

S. B. 589, a bill to allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties to come under the provisions of H. B. 1321 of the 1933 session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator McNeill of Cumberland: S. B. 631, a bill relating to tax penalties in the county of Cumberland.

Referred to Committee on Finance.



By Senator Walker: S. B. 632, a bill supplemental to and amendatory of S. B. 180, it being "An act to allow the counties, municipalities and other governing agencies to refund tax sale certificates," and ratified March 27, 1933, this act to apply only to Alamance County and municipalities therein.

Upon motion of Senator Walker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Dunagan: S. B. 633, a bill supplemental to S. B. 55, the same being "An act to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses."

Placed upon the Calendar.

By Senator Dunagan: S. B. 634, a bill to regulate the time limit for liquidation of defunct banks in Rutherford County.

Placed upon the Calendar.

By Senator Barker: S. B. 635, a bill authorizing the issuance of notes in exchange for outstanding school vouchers by Sampson County.

Upon motion of Senator Barker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Waynick: S. B. 636, a bill to provide for the levy of assessment on stockholders of banks operating under restrictions.

Referred to Committee on Banks and Banking.

By Senator Beatty: S. B. 637, a bill to amend chapter 210, Public-Local Laws of 1931, relative to the Bladen County Game Laws.

Placed upon the Calendar.

By Senator Greene: S. B. 638, a bill validating certain tax sales in Mitchell County.

Placed upon the Calendar.

By Senator Hinsdale: S. B. 639, a bill for the relief of D. H. Pope.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 879, a bill to provide for a convention to consider and pass upon the proposed amendment to the Constitution of the United States, repealing the Eighteenth Amendment thereof as submitted by the Seventy-second Congress.

Placed upon the Calendar.

H. B. 756, a bill to require the board of education of Swain County to pay Mrs. Roy Beard for services rendered in the year 1931.

Referred to Committee on Education.

H. B. 913, a bill requiring the State Highway Commission to include certain county public roads in Transylvania County in its State maintained list and to maintain same.

Referred to Committee on Public Roads.

H. B. 1241, a bill to regulate the fees for filing and docketing transcripts of judgments in the several counties of the State.

Referred to Committee on Judiciary No. 1.

H. B. 1397, a bill to amend section 1970 of the Consolidated Statutes of North Carolina, relating to Sunday fishing.

Referred to Committee on Propositions and Grievances.

H. B. 1414, a bill authorizing the board of aldermen of the town of Brevard to relieve the churches of said town of all paving or other assessments charged against them.

Referred to Committee on Judiciary No. 1.

H. B. 1416, a bill to control the sale of beer.

Upon motion of Senator Griffin of Franklin, the rules are suspended and the bill is placed upon its immediate readings.

Upon motion of Senator Patton, the bill is laid upon the Table.

H. B. 1326, a bill relating to the fees for issuing certificates of incumbrances as required for crop liens and Federal chattel mortgages.

Referred to Committee on Judiciary No. 1.

H. B. 1480, a bill supplemental to S. B. 525 and fixing the period for which license by counties and municipalities to sell beer shall expire.

Referred to Committee on Judiciary No. 1.

H. B. 1482, a bill to postpone tax sales in Avery County.

Placed upon the Calendar.

H. B. 1425, a bill to repeal H. B. 1102, being "An act to regulate the sale of milk bottles and containers in Mecklenburg County," ratified April 10, 1933.

Referred to Committee on Agriculture.

H. B. 1454, a bill to encourage the enforcement of the Turlington Act in Franklin County.

Referred to Committee on Judiciary No. 1.

H. B. 1457, a bill to make certain photostatic copies of map books in Harnett County admissible as evidence in all courts for the said county.

Referred to Committee on Judiciary No. 1.

H. B. 1464, a bill to amend S. B. 180, the same being a bill to be entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933, relative to Nash County.

Upon motion of Senator Griffin of Franklin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1465, a bill supplemental to H. B. 914, known as the Machinery Act of 1933, ratified April 3, 1933, relative to the relief of indigent residents of Nash County and the city of Rocky Mount.

Upon motion of Senator Griffin of Franklin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1476, a bill to amend H. B. 222, ratified February 15, 1933, entitled "An act to amend section 6442 of the Consolidated Statutes of 1919, and to require casualty and surety insurance companies to make deposits."

Referred to Committee on Insurance.



H. B. 1483, a bill to provide for a new registration of the voters of the city of Raleigh before the next municipal election.

Referred to Committee on Election Laws.

H. B. 1484, a bill regulating the costs in the criminal court for the county of Scotland.

Placed upon the Calendar.

H. B. 1485, a bill to rearrange and establish the terms of office of the members of the board of commissioners of Polk County.

Referred to Committee on Counties, Cities and Towns.

H. B. 1479, a bill to enable the city of Rocky Mount to make temporary advances to the Rocky Mount Graded School District.

Upon motion of Senator Griffin of Franklin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1487, a bill to include Polk County in certain agricultural tenancy laws.

Referred to Committee on Judiciary No. 2.

H. B. 1488, a bill to consolidate the townships of Hatteras and Kennakeet in Dare County, and to provide for the election of one member of the county board of commissioners and one member of the county board of education from such consolidated township.

Referred to Committee on Education.

H. B. 1486, a bill to allow the commissioners of the town of Ayden to accept municipal bonds in payment of certain taxes and street assessments.

Referred to Committee on Finance.

H. B. 1491, a bill to prohibit the setting of steel traps in Perquimans County for a period of two years.

Referred to Committee on Game Laws.

H. B. 1492, a bill to provide for a minimum of thirty-three and one-third per cent horizontal reduction of the present assessed valuation of real property in Franklin County.

Referred to Committee on Finance.

H. B. 1494, a bill to regulate the operation of bathing beaches or resorts in sections of Beaufort County.

Referred to Committee on Propositions and Grievances.

H. B. 1490, a bill to require persons selling used plumbing material or electrical fixtures to report the same to the chief of police of the city of Asheville.

Referred to Committee on Judiciary No. 1.

H. B. 1495, a bill to amend chapter 231 of the Private Laws of North Carolina, session of 1927, relating to the office of city manager of the city of Salisbury.

Placed upon the Calendar.

H. R. 1496, a joint resolution to provide for payment of cost of printing committee substitute for H. B. 120, a bill to be entitled to raise revenue.

Placed upon the Calendar.

H. B. 1497, a bill to amend article 4, section 400 of H. B. 914, entitled "An act to provide for the listing and valuing of all property, real, personal and mixed, at its true value in money."

Upon motion of Senator Moore, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1506, a bill creating an agricultural and breeders' association for the county of McDowell on approval by the voters of said county.

Upon motion of Senator Dunagan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1516, a bill to validate settlement between board of commissioners of Brunswick County and board of education.

Upon motion of Senator McNeill of Cumberland, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

S. B. 412, a bill to amend section 1179 of the Consolidated Statutes of North Carolina, relating to payment of dividends by corporations, and for other purposes, for concurrence in the House amendment.

Upon motion of Senator Walker, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 490, a bill to create a building code council for North Carolina, for concurrence in the House amendment.

Upon motion of Senator Griffin of Franklin, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 513, a bill to amend chapter 129 of the Consolidated Statutes of North Carolina, and acts amendatory thereof in relation to the distribution of State Laws, Journals, Documents, Reports and Publications to the Library of the University of North Carolina, for concurrence in the House amendment.

Upon motion of Senator Waynick, the Senate concurs in the House amendment and the bill is ordered enrolled.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 623, an act to allow Haywood and Jackson counties to come under the provisions of House Bill Number 1308 of the 1933 session of the General Assembly of North Carolina, relating to court procedure in Cherokee, Clay, and Macon counties.

S. B. 484, an act to authorize the issuance of general funding and improvement bonds of the State.

H. B. 874, an act to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor.

H. E. 1198, an act to amend House Bill 221, session 1933, ratified March 3, 1933, entitled, "An act to provide for the organization as an agency of the State of North Carolina of the North Carolina State Bar, and for its regulation, powers and government, including the admission of lawyers to practice and their discipline and disbarment," so as to provide for the issuance of license to practice and for the constitution of the board of law examiners.



H. B. 1237, an act to amend chapter 60, section 38, Public Laws of 1931, relating to the duties of local governing boards.

H. B. 1295, an act to regulate peddling in the city of Elizabeth City.

H. B. 1302, an act to amend House Bill 135, ratified April 11, 1933, entitled "An act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein."

H. B. 1360, an act authorizing the city of Lexington to borrow money for the payment of expenses incurred in connection with repairing, renovating and improving certain property owned by said city.

H. B. 1362, an act to amend section 1443 of the Consolidated Statutes relative to the courts of Hoke County.

H. B. 1378, an act to allow the governing bodies of the towns of Bladenboro and Elizabethtown to refund local improvement assessments.

H. B. 1399, an act to provide for limitation of the net debt of the city of Burlington.

H. B. 1408, an act relating to the salary of the mayor and commissioners of the town of Benson, Johnston County.

H. B. 1435, an act providing for the appointment of a court reporter for the second judicial district of North Carolina.

H. B. 1437, an act to amend House Bill 880, ratified March 28, 1933, being "An act providing for renewal of notes and mortgages due Columbus County."

S. B. 276, an act to amend section 2015 of the Consolidated Statutes of North Carolina relating to fishing in Roanoke River.

S. B. 291, an act to amend chapter 333, Public Laws of 1920, relating to nonresident fur dealers license.

S. B. 294, an act to refund to Mrs. James E. Colton the amount overcharged her for automobile license tags.

S. B. 318, an act to improve the sanitary conditions of the manufacture of bedding.

S. B. 376, an act to amend chapter 325 of Public Laws of 1929, relating to the certification of pure-bred crop seeds in North Carolina.

S. B. 404, an act to amend chapter 156, Public Laws of 1921, relating to department for inebriates at the State Hospital at Raleigh, North Carolina.

S. B. 410, an act to amend section 1 of chapter 265 of the Public Laws of 1929, and section 6185 of Consolidated Statutes in order to make provision for the care of the negro feeble-minded.

S. B. 457, an act to prevent the misbranding of milk or cream.

S. B. 460, an act to amend chapter 122, Public Laws of 1927, article 3, section 15, subsection F, relating to transfer of title and license to motor vehicles as upon inheritance, devise or bequest.

S. R. 461, a joint resolution providing for the acceptance of a memorial to Governor Burke and to provide for the transportation and erection of the same.

S. R. 467, a joint resolution of the Senate and House of Representatives of North Carolina providing for funding of the deficit now outstanding in North Carolina.

S. B. 482, an act to pay Willard R. Cox for State bond stolen from him, provided indemnity is furnished to secure the State of North Carolina against loss.

S. B. 507, an act to amend section 1908 Consolidated Statutes of North Carolina pertaining to the leasing of oyster and clam bottoms.

S. B. 516, an act supplemental to and amendatory of House Bill 158, ratified March 13, 1933, relating to methods of sale of property under tax liens.

S. B. 520, an act to amend Senate Bill 10, the same being "An act to provide a method for the readjustment of the indebtedness of counties and municipalities with creditors and holders of securities," ratified the third day of April, 1933.

S. B. 527, an act to amend section 867, of the Consolidated Statutes of 1919, relating to the writ of mandamus and its issuance in cases of counties, cities and other political subdivisions.

S. B. 354, an act to amend chapter 87, Public Laws of 1921, relating to co-operative organizations, permitting subsidiary organizations, and permitting a limited dealing with products of non-members.

S. R. 557, a joint resolution concerning Honorable J. R. Baggett.

S. B. 608, an act to authorize and empower the city of Wilmington to donate water to the Young Men's Christian Association, of said city.

S. B. 612, an act to create the office of tax collector for Montgomery County and to fix the salary of the sheriff of said county.

S. B. 616, an act to amend chapter 367, Private Laws of 1911, relating to the incorporation of the town of Arthur in Pitt County.

H. B. 1298, an act to amend Senate Bill 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

S. B. 268, an act to provide for application of certain funds to indebtedness for care and maintenance of inmates and patients at State hospitals and charitable institutions.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 627, a bill to provide for certain special taxes in Rutherford County, upon second reading.

The bill passes second reading, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Eflord, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—43.

S. B. 630 a bill to provide the regulation and taxation of peddlers in the city of Charlotte, North Carolina, upon second reading.

The bill passes second reading, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Eflord, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick,



Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—43.

H. B. 1333, a bill to allow the county commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said county, upon third reading.

The bill passes third reading, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efrd, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—43.

The bill is ordered enrolled.

H. B. 1352, a bill providing for a special tax levy in Alexander County for special purposes, upon second reading.

The bill passes second reading, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efrd, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—43.

H. B. 1403, a bill to amend the tax foreclosure act of 1933, known as House Bill 158, to exempt from its provisions Alamance County and the municipalities therein, upon second reading.

Senator Walker offers an amendment, held immaterial, which is adopted.

The bill passes second reading, ayes 43, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efrd, Francis, Fuller, Grady, Greene, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger, Summersill, Walker, Waynick—43.

H. B. 1411, a bill to amend chapter 37, Private Laws of 1909, relating to the charter of the city of Lenoir.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate substitute.

H. B. 980, a bill relating to and governing the election of members of the board of commissioners of Franklin County.

Passes its second and third readings and is ordered enrolled.

H. B. 1008, a bill to amend the charter of the town of Granite Falls.

Passes its second and third readings and is ordered enrolled.

H. B. 1192, a bill to amend chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks by adding Franklin County after the words Hyde County.

Passes its second and third readings and is ordered enrolled.

H. B. 1269, a bill to repeal S. B. 158, the same being a bill to be entitled "An act providing for the inspection of meats and meat markets in the village of Haw River, in Alamance County," ratified February 20, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1346, a bill to amend sections 1260 and 1276 of the Consolidated Statutes by including Haywood County within the provisions of said sections. Passes its second and third readings and is ordered enrolled.

H. B. 1372, a bill to authorize the Commissioner of Banks to pay over certain funds of the Scotland Neck Bank held by him, for distribution to the depositors of said bank.

Passes its second and third readings and is ordered enrolled.

H. B. 1383, a bill to amend House Bill 451, ratified March 10, 1933, by exempting Caldwell County from the provisions of the act.

Passes its second and third readings and is ordered enrolled.

H. B. 1452, a bill to prohibit the sale of beer, wine or other intoxicating liquors within one and one-half miles of Guilford College.

Passes its second and third readings and is ordered enrolled.

H. B. 1453, a bill to prohibit the sale of beer, wine and other intoxicating liquors within one and one-half miles of Oak Ridge Military Institute.

Passes its second and third readings and is ordered enrolled.

H. B. 1467, a bill relating to the duties of the sheriff and county accountant of Caswell County.

Passes its second and third readings and is ordered enrolled.

S. B. 458, a bill to amend the North Carolina game law, for concurrence in the House amendment.

Upon motion of Senator Ingram, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 584, a bill to amend chapter 110, article 4, of Consolidated Statutes of 1919, relating to the practice of optometry.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. P. 607, a bill to validate certain sales by commissioners under judgments of the Superior Courts of North Carolina, in actions for the foreclosure of mortgages and deeds of trust, where the judges of the Superior Courts have ordered the commissioners so appointed to sell the property conveyed by the mortgage or deed of trust to report the sales to the clerk of the Superior Court for confirmation.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1054, a bill to amend chapter 169, Public Laws of 1921, relating to sanitary conditions in creameries, ice cream, butter and cheese factories.

The amendment offered by Senator Hartsell is adopted.

The bill, as amended, passes its second reading and upon objection by Senator McNeill of Ashe to its final passage, the bill remains upon the Calendar.

H. B. 1058, a bill directing the disposition of that portion of money which remains of a fund heretofore turned over by the United States Government to the State of North Carolina for payment to veterans of the Spanish-American War from time of their call to duty in 1898 until their muster



into service of the United States by payment of interest to the Department of North Carolina United Spanish War Veterans.

Upon motion of Senator Rankin, the bill is re-referred to the Committee on Finance.

H. B. 1144, a bill to amend section 16 (a) chapter 122, Public Laws of 1927, to allow dealers to operate wreckers on dealers license tags.

Passes its second and third readings and is ordered enrolled.

H. B. 1166, a bill to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony of wife against her husband in criminal prosecutions for the abandonment and non-support of children.

Passes its second and third readings and is ordered enrolled.

H. B. 1201, a bill to amend section 962 of the Consolidated Statutes as amended by chapter 15 of the Public Laws of 1929 by adding another paragraph to said section.

Passes its second and third readings and is ordered enrolled.

H. B. 1208, a bill to amend section 5960 of the Consolidated Statutes relating to absentee voting, applicable only to Graham, Jackson, Rutherford and Swain counties.

Passes its second and third readings and is ordered enrolled.

H. B. 1306, a bill to amend sections 2694, 2696, 2697, 2699 and 2702 of the Consolidated Statutes relating to public libraries.

Passes its second and third readings and is ordered enrolled.

H. R. 1471, a joint resolution directing the Secretary of State to send a copy of H. B. 15 to each of the registers of deeds of the several counties of the State.

Passes its second and third readings and is ordered enrolled.

H. B. 1232, a bill to appoint justices of the peace for the several counties of North Carolina.

Various Senators offer amendments.

Upon motion of Senator Waynick, action on the bill is deferred and the bill remains upon the Calendar.

H. B. 1180, a bill to permit the governing bodies of the various counties, cities, towns and other units which have funds in failed banks to accept the bonds of said counties, cities, towns or units in settlement of the claim for said funds or any judgment recovered on account of same.

Senator Bailey offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor.

The substitute offered by the Committee is adopted, and the bill takes its place upon the second reading roll call Calendar for tomorrow.

Upon motion of Senator Kirkpatrick, the bill is made a special order for tomorrow.

Senator McNeill of Cumberland moves that the vote by which S. B. 317, a bill to amend chapter 279, Public Laws of 1931, the same being "An act to

provide for the regulation of Workmen's Compensation Insurance Rates," failed to pass its second reading be reconsidered.

The motion fails to prevail.

Upon motion of Senator Barker, H. B. 350, a bill to coördinate and consolidate the functions of government for Duplin County and to provide a maximum tax levy for the years 1933 and 1934 of sixty-six and two-thirds cents, is taken from the unfavorable Calendar and re-referred to the Committee on Counties, Cities and Towns.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 10:00 o'clock.

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### ONE HUNDRED FOURTH DAY

SENATE CHAMBER,

THURSDAY, May 4, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Mr. Lex Klutz, Y. M. C. A. of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the gallery are extended to the 6th Grade of North Durham School, Durham County.

Upon motion of Senator Griffin of Franklin, S. B. 490, a bill to create a building code council for North Carolina, is ordered recalled from the Enrolling office.

Upon motion of Senator Griffin of Franklin, the vote by which the Senate concurred in the House amendment to this bill is reconsidered.

Upon motion of Senator Griffin of Franklin, H. B. 1464, a bill to amend S. B. 180, the same being a bill to be entitled, "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933, relative to Nash County, is ordered recalled from the Enrolling Office.

Upon motion of Senator Griffin of Franklin, the vote by which this bill passed its third reading is reconsidered.

Senator Bell moves that H. B. 1506, a bill creating an agricultural and breeders association for the county of McDowell, on approval by voters of said county, be recalled from the Enrolling Office.

The motion fails to prevail.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Dempsey: S. B. 640, a bill to place the sheriff of Wilson County on a salary and to authorize the board of county commissioners to fix the amount thereof.



Upon motion of Senator Dempsey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

PETITIONS AND MEMORIALS

Senator Land presents a resolution adopted by the North Carolina Federation of Women's Clubs, requesting the General Assembly to give consideration to providing machinery whereby local school units may levy a special tax to supplement the State Funds for the maintenance of schools, which is referred to the Committee on Education.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 1291, a bill to consolidate under the motor vehicle bureau in the Department of Revenue, all activities of the State, relating to the registration and licensing of motor vehicles, the inspection of gasoline and other petroleum products, the collection of gasoline taxes and the enforcement of the motor vehicle laws.

Referred to the Committee on Judiciary No. 1.

H. B. 1309, a bill for the protection of buyers and sellers of leaf tobacco. Referred to the Committee on Agriculture.

H. B. 1341, a bill to place the names of certain Confederate soldiers and widows of Confederate soldiers on the pension list.

Referred to Committee on Pensions.

H. B. 1398, a bill to prohibit fishing with stake nets between the hours of sunset and sunrise.

Referred to Committee on Fish and Fisheries.

H. B. 1400, a bill to permit old documents to be recorded where official seal of officer has not been affixed.

Referred to Committee on Judiciary No. 1.

H. B. 1419, a bill to amend chapter 136, Public Laws 1927, known as the Bus Law.

Referred to Committee on Judiciary No. 1.

H. B. 1434, a bill to amend chapter 261 of the Public Laws of 1931, giving the advisory budget commission the authority to make rules and regulations governing the operation of the division of purchase and contract.

Referred to Committee on Finance.

H. B. 1472, a bill to amend chapter 103, Public Laws 1929, relating to the punishment for obtaining entertainment at hotels and boarding houses without paying therefor.

Referred to Committee on Judiciary No. 2.

H. B. 1473, a bill to require the county health officer of Buncombe County to examine all employees in dairies without making any charge therefor, applicable also to Henderson County.

Referred to Committee on Public Health.

H. B. 1474, a bill supplemental to "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933, to correct typographical errors.

Referred to Committee on Finance.

H. B. 1498, a bill to prohibit the sale of light wines and beer within one and one-half miles of Cane Creek Church and the Sylvan High School in Southern Alamance County.

Upon motion of Senator Walker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1499, a bill to amend section 2, chapter 27, Private Laws of 1919, relating to fees of cotton weigher for the town of Dunn, Harnett County.

Referred to Committee on Salaries and Fees.

H. B. 1501, a bill to provide for the reduction of indebtedness in Cherokee County.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1503, a bill to validate the municipal election of Morehead City held May 2, 1933.

Referred to Committee on Election Laws.

H. B. 1505, a bill to regulate the issuance of criminal processes out of the justice of the peace courts for Richmond County.

Placed upon the Calendar.

H. B. 1508, a bill defining and restricting the territorial limits of street improvement assessment liens and providing for segregation of street assessments in the city of High Point.

Referred to Committee on Finance.

H. B. 1511, a bill to validate a municipal election to be held for the town of Pantego, Beaufort County, on Tuesday, May 9, 1933.

Referred to Committee on Election Laws.

H. R. 1512, a joint resolution appointing Mrs. Robert Cabell a member of the Bennett Place Memorial Commission to succeed her mother, the late Mrs. Sallie Tate Morgan.

Placed upon the Calendar.

H. B. 1513, a joint resolution appointing S. M. Gattis and Archibald Henderson, members of the Durham-Orange Historical Society.

Placed upon the Calendar.

H. B. 1514, a bill to provide for the appointment of a court stenographer for Pitt County.

Placed upon the Calendar.

H. B. 1517, a bill to prohibit the sale of beverages within the corporate limits of Montreat, Mars Hill and the Association Grounds of the Baptist Assembly at Ridgecrest, in Buncombe County.

Placed upon the Calendar.



H. B. 1519, a bill to amend H. B. 1022, ratified March 27, 1933, entitled "An act to regulate the duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County."

Referred to Committee on Finance.

S. B. 333, a bill to amend the preamble and the several sections of the Constitution of North Carolina, for concurrence in the House amendment.

Placed upon the Calendar.

S. B. 363, a bill to amend section 35, chapter 60, Public Laws 1931, to provide a procedure for the adjustment and settlement of valid indebtedness of units of local government when in default, for concurrence in the House amendment.

Upon motion of Senator Summersill, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 398, a bill to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income, and for the sale or rental thereof on reasonable terms; authorizing the incorporation of limited dividend housing companies, and prescribing the powers, rights and duties thereof; creating a State board of housing for the purpose of encouraging, approving, assisting, supervising and regulating such activities, prescribing and defining the powers and duties of the board, including supervisory and regulatory powers over limited dividend housing companies engaged in such activities, authorizing the board to fix within certain limits the rentals or purchase price and housing accommodations furnished by limited dividend housing companies, for concurrence in the House amendment.

Upon motion of Senator Burgin, the Senate concurs in the House amendment and the bill is ordered enrolled.

HOUSE OF REPRESENTATIVES,

WEDNESDAY, May 3, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate, informing that Honorable Body that the House has failed to concur in Senate Amendments to Committee Substitute for H. B. 120, title, "to raise revenue," and the appointment of a conference committee of five on the part of the House.

For your information the Speaker has appointed as Conferees on the part of the House, Messrs. Doughton of Alleghany, Moss of Nash, Ewing of Cumberland, Cherry of Gaston, and Thomas of Anson, to act with a like committee from your Body to the end that the differences existing between the two Bodies may be adjusted.

Respectfully,

THAD EURE,

*Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators Rankin, Bailey and Aiken and a message is ordered sent to the House of Representatives, informing that Body of such action.

## ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 393, an act to amend section 2808 of the Consolidated Statutes of North Carolina, relating to municipal light and water plants.

S. B. 412, an act to amend section 1179 of the Consolidated Statutes of North Carolina, relating to payment of dividends by corporations and for other purposes.

S. B. 513, an act to amend chapter 129 of the Consolidated Statutes of North Carolina and acts amendatory thereof in relation to the distribution of State laws, journals, documents, reports and publications to the Library of the University of North Carolina.

S. B. 546, an act relating to appeals from levies and assessments for taxation of unlisted property.

S. B. 458, an act to amend the North Carolina Game Law.

S. B. 615, an act to amend Committee substitute for S. B. 525, known as the beverage control act of 1933.

H. B. 920, an act to amend section 220 (b) Consolidated Statutes of 1919, Volume III, as amended, so as to limit the investments of banking corporations in the securities of affiliated or subsidiary corporations.

H. B. 980, an act to amend chapter 61 of the Public-Local Laws of 1931, relative to the election of commissioners of Franklin County.

H. B. 1008, an act to amend the charter of the town of Granite Falls.

H. B. 1144, an act to amend section 16 (a), chapter 122, Public Laws of 1927, to allow dealers to operate wreckers on dealers license tags.

H. B. 1166, an act to amend section 1802 of the Consolidated Statutes, relating to the competency of testimony of wife against her husband, in criminal prosecutions for the abandonment and non-support of children.

H. B. 1192, an act to amend chapter 273 of the Public Laws of 1929, relating to the punishment of makers of worthless checks by adding Franklin County after the words Hyde County.

H. B. 1201, an act to amend section 962 of the Consolidated Statutes, as amended, by chapter 15 of the Public Laws of 1929, by adding another paragraph to said section.

H. B. 1208, an act to amend section 5960 of the Consolidated Statutes, relating to absentee voting, applicable only to Graham, Jackson, Rutherford and Swain counties.

H. B. 1269, an act to repeal S. B. 158, the same being a bill to be entitled, "An act providing for the inspection of meats and meat markets in the village of Haw River, in Alamance County," ratified February 20, 1933.

H. B. 1306, an act to amend sections 2694, 2696, 2697, 2699 and 2702 of the Consolidated Statutes, relating to public libraries.

H. B. 1333, an act to allow the county commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said county.

H. B. 1346, an act to amend sections 1260 and 1276 of the Consolidated Statutes by including Haywood County within the provisions of said section.



H. B. 1372, an act to authorize the Commissioner of Banks to pay over certain funds of the Scotland Neck Bank, held by him, for distribution to the depositors of said bank.

H. B. 1383, an act to amend H. B. 451, ratified March 10, 1933, by exempting Caldwell County from the provisions of the act.

H. B. 1452, an act to prohibit the sale of beer, wine, or other intoxicating liquors within one and one-half miles of Guilford College.

H. B. 1453, an act to prohibit the sale of beer, wine, and other intoxicating liquors within one and one-half miles of Oak Ridge Military Institute.

H. B. 1465, an act supplemental to H. B. 914, known as "The Machinery Act of 1933," ratified April 3, 1933, relative to the relief of indigent residents of Nash County and the city of Rocky Mount.

H. B. 1467, an act relating to the duties of the sheriff and county accountant of Caswell County.

H. R. 1471, a joint resolution directing the Secretary of State to send a copy of House Bill Number 15 to each of the registers of deeds of the several counties of the State.

H. R. 1479, an act to enable the city of Rocky Mount to make temporary advances to the Rocky Mount Graded School District.

H. B. 1497, an act to amend Article IV, section 400 of House Bill Number 914 entitled, "An act to provide for the listing and valuing of all property real, personal and mixed, at its true value in money."

H. B. 1516, an act to validate settlement between board of commissioners of Brunswick County and Board of Education.

H. B. 1506, an act creating an agricultural and breeders' association for the county of McDowell on approval by the voters of said county.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 606, a bill to empower the governing body of the city of Charlotte to relieve churches and synagogues of street and paving assessments, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dempsey, Dunagan, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—40.

S. B. 627, a bill to provide for certain special taxes in Rutherford County, upon third reading.

The bill passes third reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dempsey, Dunagan, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, MacLean, Mc-

Bryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—40.

The bill is ordered sent to the House of Representatives.

S. B. 630, a bill to provide the regulation and taxation of peddlers in the city of Charlotte, North Carolina, upon third reading.

The bill passes third reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dempsey, Dunagan, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—40.

The bill is ordered sent to the House of Representatives.

S. B. 638, a bill validating certain tax sales in Mitchell County, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dempsey, Dunagan, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—40.

H. B. 1352, a bill providing for a special tax levy in Alexander County for special purposes, upon third reading.

The bill passes third reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dempsey, Dunagan, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—40.

The bill is ordered enrolled.

H. B. 1386, a bill to aid the collection of back taxes in the city of Hendersonville, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dempsey, Dunagan, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—40.

H. B. 1403, a bill to amend the tax foreclosure act of 1933, known as H. B. 158, to exempt from its provisions Alamance County and the municipalities therein, upon third reading.

The bill passes third reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Cross, Dempsey, Dunagan, Francis, Fuller, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, MacLean, Mc-



Bryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—40.

The bill is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1464, a bill to amend S. B. 180, the same being a bill to be entitled, "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933, relative to Nash County, upon third reading.

Senator Griffin of Franklin, offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 267, a bill relating to the compensation of the sheriff and tax collector of Cherokee County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 592, a bill to amend chapter 143, Public Laws of 1931, allowing hunting and killing of foxes at any time in Henderson County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 620, a bill to amend section 1608 of Volume III of the Consolidated Statutes, placing Ashe County under the provisions of the general law relating to the establishment of recorder's courts.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 634, a bill to regulate the time limit for liquidation of defunct banks in Rutherford County.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 610, a bill to regulate the hunting of foxes in Caswell County.

Passes its second and third readings and is ordered enrolled.

H. B. 807, a bill regulating hunting licenses in Hyde County.

Upon motion of Senator Bailey, the bill is re-referred to the Committee on Game Laws.

H. B. 1063, a bill to validate the foreclosure of tax certificates in Polk County.

Passes its second and third readings and is ordered enrolled.

H. B. 1064, a bill to provide for the collection of delinquent taxes on real estate in Polk County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1176, a bill to authorize the board of commissioners of Watauga County, in their discretion, to abolish the recorder's court of said county.

Passes its second and third readings and is ordered enrolled.

H. E. 1221, a bill to extend the period for commencement of actions on certain evidences of indebtedness of Carteret County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1297, a bill to amend S. B. 180 of the Session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said act.

Passes its second and third readings and is ordered enrolled.

H. B. 1325, a bill to amend chapter 576 of the Public-Local Laws of 1919, relative to fees to the clerk of Superior Court of Guilford County.

Passes its second and third readings and is ordered enrolled.

H. B. 1328, a bill to protect pheasants in the county of Iredell.

Passes its second and third readings and is ordered enrolled.

H. B. 1350, a bill to release church property in the town of Boone, Watauga County, from the payment of street and sidewalk paving assessments.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1380, a bill validating certain tax sales in the town of Columbus, Polk County and for other purposes.

Passes its second and third readings and is ordered enrolled.

H. B. 1385, a bill to allow the Commissioners of the town of Laurel Park in Henderson County to accept bonds and/or notes in payment of taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 1394, a bill to regulate the fees of the sheriff of Surry County for capturing stills used in the manufacture of intoxicating liquors.

Passes its second and third readings and is ordered enrolled.

H. B. 1409, a bill to release church property in the town of Benson, Johnston County, from the payment of street and sidewalk paving assessments.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1418, a bill to repeal H. B. 752, ratified the 20th day of March, 1933, entitled, "An act to amend chapter 51, Public Laws of 1927, relating to hunting wild turkeys in Guilford County."

Passes its second and third readings and is ordered enrolled.

H. B. 1421, a bill to amend article 22, of chapter 27 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of recorder's courts with the provisions of this act applying only to the county of Carteret.

Passes its second and third readings and is ordered enrolled.

H. B. 1427, a bill to permit the discharge of the grand jury in Surry County when it has completed the business of the term.

Passes its second and third readings and is ordered enrolled.

H. B. 1430, a bill to regulate and prohibit the possession and use of slot machines and other devices in Pasquotank County.

Passes its second and third readings and is ordered enrolled.



H. B. 1447, a bill to provide for the erection of a retaining wall between Waccamaw Lake and the town of Lake Waccamaw.

Passes its second and third readings and is ordered enrolled.

H. B. 1449, a bill authorizing the transfer of certain criminal cases from the Superior Court of Guilford County to the Municipal Court of the city of Greensboro.

Passes its second and third readings and is ordered enrolled.

H. B. 1482, a bill to postpone tax sales in Avery County.

Upon motion of Senator Hinsdale, the bill is referred to the Committee on Finance.

H. B. 1484, a bill regulating the costs in the criminal court for the county of Scotland.

Passes its second and third readings and is ordered enrolled.

H. B. 1485, a bill to rearrange and establish the terms of office of the members of the board of commissioners of Polk County.

Passes its second and third readings and is ordered enrolled.

H. B. 1495, a bill to amend chapter 231 of the Private Laws of North Carolina, Session of 1927, relating to the office of city manager of the city of Salisbury.

Passes its second and third readings and is ordered enrolled.

The hour having arrived for the consideration of the Special Order, the President lays before the Senate, the Special Order of the day, it being S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of the schools in the whole of the State for a term of eight months, without the levy of any ad valorem taxes therefor.

Senator Griffin of Chowan offers an amendment which is adopted.

Senator Griffin of Chowan offers a second amendment which is adopted.

Senator Griffin of Chowan offers a third amendment which is adopted.

Senator Moore offers an amendment which is withdrawn.

Senator Sparger offers an amendment.

Senator Moore offers an amendment.

Senator Kirkpatrick offers an amendment.

Senator Hinsdale offers an amendment.

Senator Clement offers an amendment.

Pending discussion, the bill remains upon the Calendar.

Upon motion of Senator Hinsdale, H. B. 968, a bill to provide for competitive bidding for construction or repair work for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof, is ordered recalled from the House of Representatives.

Upon motion of Senator Hinsdale, H. B. 1368, a bill to amend chapter 454 of the Public-Local Laws of 1931, relating to the duties of the clerk of the recorder's court of Cleveland County, is taken from the unfavorable Calendar and re-referred to the Committee on Judiciary No. 1.

Upon motion of Senator Dunagan, the Senate recesses to meet at 2:30 p.m. at which time to proceed with the consideration of the school machinery bill, and to take a vote upon said bill at 5:00 o'clock p.m.

## AFTERNOON SESSION

SENATE CHAMBER,

THURSDAY, May 4, 1933.

The Senate meets pursuant to recess, and is called to order by Lieutenant-Governor A. H. Graham.

Upon motion of Senator MacLean, the rules are suspended in order that he may move to reconsider the vote by which S. B. 419, a bill to create and establish a State fund for the purpose of providing insurance for employees subject to the Workmen's Compensation Act, to provide for the administering of said fund and to amend chapter 120, Public Laws, 1929, failed to pass its third reading, next Monday, May 8, 1933.

Upon motion of Senator Hinsdale, S. B. 398, a bill to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income, etc., is ordered recalled from the Enrolling Office.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hinsdale, for the Committee on Judiciary No. 1:

H. B. 1480, a bill supplemental to S. B. 525 and fixing the period for which license by counties and municipalities to sell beer shall expire, with a favorable report as amended.

H. B. 1490, a bill to require persons selling used plumbing material or electrical fixtures to report the same to the chief of police of the city of Asheville, with a favorable report.

H. B. 1241, a bill to regulate the fees for filing and docketing transcripts of judgments in the several counties of the State, with a favorable report.

H. B. 1326, a bill relating to the fees for issuing certificates of encumbrances as required for crop liens and Federal chattel mortgages, with a favorable report.

H. B. 1454, a bill to encourage the enforcement of the Turlington Act in Franklin County, with a favorable report.

H. B. 1457, a bill to make certain photostatic copies of map books in Harnett County admissible as evidence in all courts of the said county, with a favorable report.

By Senator Walker, for the Committee on Election Laws:

H. B. 1483, a bill to provide for a new registration of the voters of the city of Raleigh before the next municipal election, with a favorable report.

By Senator Hanes, for the Committee on Insurance:

S. B. 133, a bill to amend the North Carolina Workmen's Compensation Act in order that said act and the operation thereof shall be completely within the Department of Labor, reported without prejudice.

S. B. 565, a bill to change the form of standard policy amending section 6437 of the Consolidated Statutes of North Carolina, with an unfavorable report.



S. B. 541, a bill to provide for the insuring of school properties in North Carolina, with an unfavorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

S. B. 613, a bill to amend chapter 29 of the Private Laws of 1929, it being "An act to incorporate Salem Methodist Church of Stanly County, North Carolina," with a favorable report.

H. B. 1417, a bill to amend chapter 227 of the Public-Local Laws of 1931, creating five districts in Bertie County for the selection of county commissioners, with a favorable report.

H. B. 1381, a bill supplemental to and amendatory of H. B. 990, it being "An act to authorize the board of commissioners of Transylvania County to purchase the building known as the Brevard Banking Company in the town of Brevard," ratified March 30, 1933, with a favorable report.

H. B. 1375, a bill to provide for the nomination of candidates for the office of county commissioners of Pasquotank County by the qualified voters of the entire county, with a favorable report.

H. B. 1329, a bill to amend chapter 205 of the Private Laws of 1929, relating to the corporate limits of the city of Asheville with an unfavorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Greene: S. B. 641, a bill to place certain persons on Confederate Pension Roll.

Referred to Committee on Pensions.

By Senator Bell: S. B. 642, a bill to release church property in the town of East Flat Rock, Henderson County, from the payment of street and sidewalk paving and sewerage assessments.

Referred to Committee on Finance.

By Senator Waynick: S. B. 643, a bill to amend the tax foreclosure act of 1933, known as H. B. 158, to exempt from its provisions Guilford County and the municipalities therein.

Placed upon the Calendar.

By Senator Efird: S. B. 644, a bill to amend section 3, chapter 21 of the Private Laws of 1931, in respect to the city government of Monroe.

Upon motion of Senator Efird, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hanes: S. B. 645, a bill to authorize the city of Winston-Salem to accept certain bonds in payment of taxes, special assessments and other dues.

Referred to Committee on Finance.

By Senator Noell: S. B. 646, a bill to legalize mass meetings in the town of Roxboro for the purpose of nominating municipal officers; and to regulate the printing and use of official ballots in said town.

Upon motion of Senator Noell, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1521, a bill to amend chapter 441 of the Public Laws of 1931, regarding levying of special taxes in certain counties, so as to include Union.

Referred to Committee on Finance.

H. B. 1526, a bill to repeal H. B. 233, it being "An act to amend chapter 55 of the Public Laws of 1931, relating to the fees of the clerk of the court of Mitchell County, and the salary of the sheriff and treasurer-tax collector of said county," ratified April 7, 1933.

Upon motion of Senator Greene, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1533, a bill to validate the municipal elections held in the town of Farmville, Pitt County, on May 2, 1933.

Upon motion of Senator Corey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1544, a bill to amend H. B. 158, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to exempt from its provisions Gaston and Davidson counties, and the municipalities therein, ratified March 13, 1933.

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES,  
May 4, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the Conferees Report on Senate Committee Substitute for H. B. 627, title, "An act to amend chapter 186, Private Laws 1931, being An act to amend S. B. 395, being the charter of the city of Asheville, pertaining to the reduction of salaries of councilmen and other employees," to the end that if a similar report is adopted by your Body, we may order the bill enrolled.

Respectfully,

THAD EURE,

*Principal Clerk.*



HOUSE OF REPRESENTATIVES,

May 4, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate requesting that S. B. 490, title "To create a building code council for North Carolina," be returned to the House for further consideration.

Respectfully,

THAD EURE,

*Principal Clerk.*

Upon motion of Senator Hanes, the bill is ordered returned to the House of Representatives.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor, upon second reading.

Senator Hill offers an amendment.

Senator Aiken offers an amendment which fails of adoption.

Senator Hill withdraws his amendment.

The amendment offered by Senator Clement is adopted.

The amendment offered by Senator Hinsdale fails of adoption.

The amendment offered by Senator Sparger is withdrawn.

Upon the adoption of the amendment offered by him, Senator Kirkpatrick calls for the ayes and noes.

The call fails.

The amendment fails of adoption.

Senator Moore withdraws his amendment.

All amendments being held immaterial, the bill is placed upon its second reading.

The bill, as amended, passes its second reading, ayes 36, noes 7, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Bland, Blue, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Ebird, Francis, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Land, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Rankin, Summersill, Walker—36.

Those voting in the negative are: Senators Blackstock, Boggan, Fuller, Kirkpatrick, McNeill of Ashe, Sparger, Waynick—7.

Upon motion of Senator McNeill of Ashe, H. B. 397, a bill regulating the open season for game and providing for certain license fees in the county of Ashe, is taken from the unfavorable Calendar and re-referred to the Committee on Game Laws.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

## ONE HUNDRED FIFTH DAY

SENATE CHAMBER,

FRIDAY, May 5, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. R. Walker, West Raleigh Presbyterian Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Brown, H. B. 1147, a bill to amend chapter 195 of the Private Laws of 1927, relative to the corporate limits of the town of Carolina Beach, is taken from the Committee on Counties, Cities and Towns and placed upon the Calendar.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

H. B. 1486, a bill to allow the commissioners of the town of Ayden to accept municipal bonds in payment of certain taxes and street assessments, with an unfavorable report.

H. B. 1492, a bill to provide for a minimum of thirty-three and one-third per cent horizontal reduction of the present assessed valuation of real property in Franklin County, with an unfavorable report.

H. B. 1519, a bill to amend H. B. 1022, ratified March 27, 1933, entitled "An act to regulate the duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County," with a favorable report.

H. B. 1521, a bill to amend chapter 441 of Public Laws of 1931, regarding levying of special taxes in certain counties so as to include Union, with a favorable report.

By Senator Rankin, for the Committee on Finance:

S. B. 642, a bill to release church property in the town of East Flat Rock, Henderson County, from the payment of street and sidewalk paving and sewerage assessments, with a favorable report as amended.

S. B. 631, a bill relating to tax penalties in the county of Cumberland, with a favorable report.

S. B. 645, a bill to authorize the city of Winston-Salem to accept certain bonds in payment of taxes, special assessments and other dues, with a favorable report.

H. B. 1434, a bill to amend chapter 261 of the Public Laws of 1931, giving the advisory budget commission authority to make rules and regulations governing the operation of the division of purchase and contract, with a favorable report.



H. B. 1482, a bill to postpone tax sales in Avery County, with an unfavorable report.

By Senator Dunagan, for the Committee on Counties, Cities and Towns:

H. B. 677, a bill to abolish the office of tax collector for the county of Guilford and consolidate the same with the office of the sheriff, with an unfavorable report.

H. B. 678, a bill to consolidate the office of county attorney and the office of assistant solicitor and to make the office herein provided for elective, with an unfavorable report.

H. B. 853, a bill to provide conditions under which a farm agent or farm demonstrator may be employed in Yancey County, with a favorable report.

H. B. 1367, a bill to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Columbus County, with a favorable report.

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 1364, a bill to fix the salary of the clerk of the Superior Court of Columbus County, with a favorable report.

H. B. 1463, a bill to fix the salary of the register of deeds of Yancey County, with a favorable report.

H. B. 1316, a bill to amend H. B. 763, Public-Local Laws of 1933, reducing the salary of the clerk of the Superior Court of Franklin County, with a favorable report.

By Senator Francis, for the Committee on Education.

H. B. 1349, a bill to amend chapter 149 of the Private Laws of North Carolina, session 1931, being "An act providing for the appointment of a school board for the Asheville Local-Tax School District and defining its powers and duties," with a favorable report.

H. B. 1366, a bill relating to teachers of vocational education in Columbus County, with a favorable report.

H. B. 1488, a bill to consolidate the townships of Hatteras and Kennakeet in Dare County, and to provide for the election of the member of the county board of commissioners and one member of the county board of education from such consolidated township, with a favorable report.

S. B. 614, a bill to fix the terms of office of the board of education in Mitchell County, with a favorable report.

H. B. 756, a bill to require the board of education of Swain County to pay Mrs. Roy Beard for services rendered in the year 1931, with a favorable report as amended.

H. B. 1143, a bill to fix the status of certain acreage made by intra-coastal waterway dredging operations, with a favorable report.

H. B. 1165, a bill to repeal chapter 171, Private Laws of 1923, appointing trustees for school district No. 8, Waynesville Township, Haywood County, North Carolina, and to authorize the clerk of the Superior Court of Haywood County to convey title to a certain lot of land in said township, with a favorable report.

## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Fuller: S. B. 647, a bill to allocate Union Township, Robeson County, to the proper recorder's court and commissioner's districts.

Placed upon the Calendar.

By Senator Long: S. B. 648, a bill to exempt the members of the volunteer fire department of Roanoke Rapids, Halifax County, from the payment of poll tax.

Upon motion of Senator Long, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Long: S. B. 649, a bill to amend section 390 of the Consolidated Statutes so as to allow application for restoration of citizenship to be made immediately in cases where unconditional pardon has been granted by the Governor.

Placed upon the Calendar.

By Senator Kirkpatrick: S. B. 650, a bill to amend section 162 of the Consolidated Statutes, concerning the chain store tax covering departments in a department store.

Referred to Committee on Finance.

By Senator Waynick: S. B. 651, a bill to amend the law regulating the sale of alcoholic beverages near Guilford College.

Placed upon the Calendar.

By Senator Hill: S. B. 652, a bill to amend chapter 113, Public Laws of 1927, relating to the liquidation of banks.

Referred to Committee on Banks and Banking.

By Senator Hill: S. B. 653, a bill to amend section 218, (c) of Volume III of the Consolidated Statutes as amended by chapter 113, Public Laws 1927, relating to unclaimed deposits in closed banks.

Referred to Committee on Banks and Banking.

By Senator Hill, by request: S. B. 654, a bill to prohibit the sale of beverages within two miles of the administrative building of Campbell College, town of Buie's Creek, Neill's Creek Township in Harnett County.

Referred to Committee on Judiciary No. 1.

By Senator Greene: S. B. 655, a bill to place certain persons on Confederate Pension Roll.

Referred to Committee on Pensions.

By Senator Greene: S. B. 656, a bill to exempt the town of Bakersville, Mitchell County, from the provisions of S. B. 367, relating to the sale of beer, spiritus frumenti or other intoxicants.

Referred to Committee on Judiciary No. 1.

By Senator Bland: S. B. 657, a bill to provide for the city of Goldsboro to accept its bonds in the payment of city taxes.

Upon motion of Senator Bland, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.



By Senator Greene: S. B. 658, a bill relating to the fees of the clerk of the court of Mitchell County and the salary of the sheriff and to abolish the office of treasurer-tax collector of said county.

Placed upon the Calendar.

By Senator Hinsdale: S. B. 659, a bill to repeal chapter 40, Private Laws of 1874-1875, repealing the charter of the town of Morrisville, Wake County.

Placed upon the Calendar.

By Senator Efrid: S. B. 660, a bill to appoint a cotton weigher for the town of Stanfield in Stanly County, North Carolina.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 720, a bill to amend chapter 198, being "An act to provide licenses for the artificial propagation of fish in North Carolina," Public Laws, session, 1929.

Placed upon the Calendar.

H. B. 721, a bill to prohibit the sale of black bass.

Placed upon the Calendar.

H. R. 985, a joint resolution to be entitled "An act requiring the officers of the North Carolina Education Association to furnish to the House and Senate of the State of North Carolina a complete list, audit, minutes, and the names of various companies, organizations, corporations, or individuals from whom said association receives or obtains revenue of any kind, together with the amounts thereof, including fees, commissions, and annual dues, and also a complete list of all disbursements together with the names and post office addresses of all persons receiving any part of said disbursements and the amounts thereof.

Referred to Committee on Education.

H. B. 1046, a bill to amend section 2776 (s) of the Consolidated Statutes of North Carolina, relating to zoning of certain properties.

Referred to Committee on Judiciary No. 1.

H. B. 1292, a bill to regulate fishing in Brunswick County.

Referred to Committee on Fish and Fisheries.

H. B. 1317, a bill to establish banking facilities for small towns in North Carolina.

Referred to Committee on Banks and Banking.

H. B. 1331, a bill to permit S. B. Parker to prescribe for and treat that poisoning or sickness known as "Milk Sickness" and to charge a reasonable fee therefor.

Referred to Committee on Public Health.

H. B. 1415, a bill to amend chapter 78 of the Consolidated Statutes of North Carolina, so as to authorize the investment of trust funds in building and loan associations.

Referred to Committee on Insurance.

H. B. 1450, a bill to amend section 3337 of the Consolidated Statutes pertaining to acknowledgment before justices of the peace where clerk's certificates or order of registration defective.

Referred to Committee on Judiciary No. 2.

H. B. 1459, a bill to amend S. B. 313, which is "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified March 20, 1933.

Upon motion of Senator Dempsey, the rules are suspended and the bill is placed upon its immediate readings.

Senator Dempsey offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1493, a bill to amend article 3, section 2365 of the Consolidated Statutes relative to removal of tenants in certain cases, applicable to Johnston County only.

Placed upon the Calendar.

H. B. 1504, a bill to fix the open season for hunting game in Catawba County, and to provide a closed season for hunting pheasants and quail in said county.

Referred to Committee on Game Laws.

H. B. 1528, a bill supplemental to and amendatory of S. B. 385, it being entitled "An act to amend chapter 368 of the Public-Local Laws of 1911 and amendments thereto, relating to the police courts in the town of Canton, Haywood County."

Referred to Committee on Courts and Judicial Districts.

H. B. 1532, a bill to amend chapter 228, Public-Local Laws of 1917, relating to the office of county treasurer of Yadkin County.

Upon motion of Senator Blackburn, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1542, a bill to provide additional safeguards in the creation, establishment and reorganization of drainage districts in Hyde County.

Referred to Committee on Judiciary No. 1.

H. B. 1551, a bill to compel the closure of service stations, stores, soft drink stands, and other like establishments, and to prevent the conduct of the same and the sale of merchandise therefrom during certain hours on Sunday, near Oak Ridge Military Institute in Guilford County.

Referred to Committee on Propositions and Grievances.

H. B. 1553, a bill amending chapter 651, Public Laws 1909, relating to the municipal court of the city of Greensboro.

Referred to Committee on Courts and Judicial Districts.

H. R. 1560, a joint resolution making the chickadee the official bird of the State.

Upon motion of Senator Brown, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.



HOUSE OF REPRESENTATIVES,

May 5, 1933.

*Mr. President:*

It is ordered that a message be sent your Body with the information that pursuant to your request we are returning herewith H. B. 968, for further consideration by your Body.

Respectfully,

THAD EURE,

*Principal Clerk.*

Upon motion of Senator Hinsdale, the vote by which the bill passed its third reading is reconsidered.

The bill is placed upon the Calendar.

## ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 363, an act to amend section 35, chapter 60, Public Laws 1931, to provide a procedure for the adjustment and settlement of valid indebtedness of units of local government when in default.

S. E. 469, an act to authorize the board of county commissioners of Mitchell County to levy special taxes for jail.

S. B. 522, an act to regulate the sale of unginned or seed cotton in Wilson County.

S. B. 609, an act to provide for the redemption of property sold for taxes in Mitchell and Madison counties.

S. B. 619, an act to authorize the board of commissioners for the county of Forsyth to convey to the city of Winston-Salem an easement for street and sidewalk purposes of a portion of the courthouse property and to provide for the improvement of the same and the assessment of benefits resulting therefrom.

S. B. 622, an act to appoint a boxing commission for the county of Cabarrus.

H. B. 446, an act to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses.

H. B. 610, an act to regulate the hunting of foxes in Caswell County.

H. B. 1063, an act to validate the foreclosure of tax certificates in Polk County.

H. B. 1176, an act to authorize the board of commissioners of Watauga County, in their discretion, to abolish the recorder's court of said county.

H. B. 1180, an act to permit the governing bodies of the various counties, cities, towns, and other units which have funds in failed banks to accept the bonds of said counties, cities, towns, or units in settlement of the claim for said funds or any judgment recovered on account of same.

H. B. 1297, an act to amend S. B. 180 of the session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said act.

H. B. 1325, an act to amend chapter 576 of the Public-Local Laws of 1919, relative to fees to the clerk of Superior Court of Guilford County.

H. B. 1328, an act to protect pheasants in the county of Iredell.

H. B. 1352, an act providing for a special tax levy in Alexander County for special purposes.

H. B. 1380, an act validating certain tax sales in the town of Columbus, Polk County, and for other purposes.

H. B. 1385, an act to allow the commissioners of the town of Laurel Park in Henderson County to accept bonds and/or notes in payment of taxes.

H. B. 1394, an act to regulate the fees of the sheriff of Surry County for capturing stills used in the manufacture of intoxicating liquors.

H. B. 1411, an act to amend chapter 37, Private Laws of 1909, relating to the charter of the city of Lenoir.

H. B. 1418, an act to repeal H. B. 752, ratified the 20th day of March, 1933, entitled "An act to amend chapter 51, Public Laws of 1927, relating to hunting of wild turkeys in Guilford County."

H. B. 1421, an act to amend article 22 of chapter 27 of the Consolidated Statutes of North Carolina, relating to civil jurisdiction of recorders courts, with the provisions of this act applying only to the county of Carteret.

H. B. 1427, an act to permit the discharge of the grand jury in Surry County when it has completed the business of the term.

H. B. 1430, an act to regulate and prohibit the possession and use of slot machines and other devices in Pasquotank County.

H. B. 1447, an act to provide for the erection of a retaining wall between Waccamaw Lake and the town of Lake Waccamaw.

H. B. 1449, an act authorizing the transfer of certain criminal cases from the Superior Court of Guilford County to the municipal court of the city of Greensboro.

H. B. 1484, an act regulating the costs in the criminal court for the county of Scotland.

H. B. 1485, an act to rearrange and establish the terms of office of the members of the board of commissioners of Polk County.

H. B. 1495, an act to amend chapter 231 of the Private Laws of 1927 of North Carolina, relative to the office of city manager of the city of Salisbury.

H. B. 1498, an act to prohibit the sale of light wines and beer within one and one-half miles of Cane Creek Church and the Sylvan High School in Southern Alamance County.

H. B. 1501, an act to provide for the reduction of indebtedness in Cherokee County.

H. B. 1526, an act to repeal H. B. 233, it being "An act to amend chapter 55 of the Public Laws of 1931, relating to the fees of the clerk of the court of Mitchell County, and the salary of the sheriff and treasurer-tax collector of said county," ratified April 7, 1933.

H. B. 1533, an act to validate the municipal election held in the town of Farmville, Pitt County, on May 2, 1933.



## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 606, a bill to empower the governing body of the city of Charlotte to relieve churches and synagogues of street and paving assessments, upon third reading.

The bill passes third reading, ayes 39, noes 1, as follows:

Those voting in the affirmative are: Senators Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McNeill of Ashe, Noell, Patton, Sparger, Summersill, Walker, Waynick—39.

Those voting in the negative are: Senator Clement—1.

The bill is ordered sent to the House of Representatives.

S. B. 638, a bill validating certain tax sales in Mitchell County, upon third reading.

The bill passes third reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McNeill of Ashe, Noell, Patton, Sparger, Summersill, Walker, Waynick—40.

The bill is ordered sent to the House of Representatives.

H. B. 1386, a bill to aid the collection of back taxes in the city of Hendersonville, upon third reading.

The bill passes third reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McNeill of Ashe, Noell, Patton, Sparger, Summersill, Walker, Waynick—40.

The bill is ordered enrolled.

H. B. 1147, a bill to amend chapter 195 of the Private Laws of 1927, relative to the corporate limits of the town of Carolina Beach, upon second reading.

The bill passes second reading, ayes 40, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Barker, Beatty, Bell, Blackburn, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McNeill of Ashe, Noell, Patton, Sparger, Summersill, Walker, Waynick—40.

S. B. 645, a bill to authorize the city of Winston-Salem to accept certain bonds in payment of taxes, special assessments or other dues.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 968, a bill to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the sub-divisions thereof, upon third reading.

Upon motion of Senator Hinsdale, the vote by which the Senate amendment was adopted is reconsidered.

The amendment is withdrawn.

Senator Hinsdale offers an amendment which is adopted.

The bill, as amended, passes its third reading, and the bill is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 613, a bill to amend chapter 29 of the Private Laws of 1929, it being "An act to incorporate Salem Methodist Church of Stanly County, North Carolina."

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 639, a bill for the relief of D. H. Pope.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 643, a bill to amend the tax foreclosure act of 1933, known as H. B. 158, to exempt from its provisions Guilford County and the municipalities therein.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1375, a bill to provide for the nomination of candidates for the office of county commissioners of Pasquotank County by the qualified voters of the entire county.

Passes its second and third readings and is ordered enrolled.

H. B. 1381, a bill supplemental to and amendatory of H. B. 990, it being "An act to authorize the board of commissioners of Transylvania County to purchase the building known as the Brevard Banking Company in the town of Brevard." ratified March 30, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1417, a bill to amend chapter 227 of the Public-Local Laws of 1931, creating five districts in Bertie County for the selection of county commissioners.

Passes its second and third readings and is ordered enrolled.

H. B. 1454, a bill to encourage the enforcement of the Turlington Act in Franklin County.

Passes its second and third readings and is ordered enrolled.

H. B. 1457, a bill to make certain photostatic copies of map books in Harnett County admissible as evidence in all courts for the said county.

Passes its second and third readings and is ordered enrolled.

H. B. 1480, a bill supplemental to S. B. 525, and fixing the period for which license by counties and municipalities to sell beer shall expire.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.



H. B. 1483, a bill to provide for a new registration of the voters of the city of Raleigh before the next municipal election.

Passes its second and third readings and is ordered enrolled.

H. B. 1505, a bill to regulate the issuance of criminal processes out of the justice of the peace courts for Richmond County.

Passes its second and third readings and is ordered enrolled.

H. R. 1512, a joint resolution appointing Mrs. Robert Cabell a member of the Bennett Place Memorial Commission to succeed her mother, the late Mrs. Sallie Tate Morgan.

Passes its second and third readings and is ordered enrolled.

H. B. 1514, a bill to provide for the appointment of a court stenographer for Pitt County.

Passes its second and third readings and is ordered enrolled.

H. B. 1544, a bill to amend H. B. 158, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to exempt from its provisions Gaston and Davidson counties and the municipalities therein, ratified March 13, 1933.

Senator Clement offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment by a special messenger.

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor, upon third reading.

Senator Griffin of Chowan offers an amendment which is adopted.

Senator Griffin of Chowan offers a second amendment which is adopted.

Senator Griffin of Chowan offers a third amendment which is adopted.

Senator Griffin of Chowan offers a fourth amendment which is adopted.

Senator Griffin of Chowan offers a fifth amendment which is adopted.

Senator Griffin of Chowan offers a sixth amendment which is adopted.

Senator Moore offers an amendment which fails of adoption.

Senator Bell offers an amendment which is adopted.

Senator Long moves that the vote by which the amendment offered by Senator Clement was adopted be reconsidered, and upon this motion calls for the ayes and noes.

The call is sustained.

The motion fails to prevail, ayes 14, noes 29, as follows:

Those voting in the affirmative are: Senators Aiken, Blackstock, Burgin, Cross, Greene, Griffin of Chowan, Hairfield, Hill, Hinsdale, Joyner, Land, Long, Walker, Waynick—14.

Those voting in the negative are: Senators Bagley, Bailey, Barker, Beatty, Bell, Bland, Blue, Boggan, Brown, Clark, Clement, Corey, Dunagan, Eflord, Francis, Fuller, Grady, Hanes, Hartsell, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Summersill—29.

The following pairs are announced: Senator Kirkpatrick, "aye," Senator Ingram, "no."

Senator Bailey offers an amendment which is adopted.

Senator Hinsdale offers an amendment which is adopted.

All the amendments being held by the Chair to be immaterial, the bill is placed upon its third reading.

The bill, as amended, passes its third reading, ayes 33, noes 11, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Barker, Beatty, Bell, Bland, Blue, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Grady, Griffin of Chowan, Hanes, Hartsell, Hinsdale, Joyner, Land, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Summersill, Walker—33.

Those voting in the negative are: Senators Aiken, Blackstock, Boggan, Fuller, Greene, Hairfield, Hill, Long, McNeill of Ashe, Sparger, Waynick—11.

The following pairs are announced: Senator Kirkpatrick, "aye," Senator Ingram, "no."

The following Senators explain their vote, Senators Aiken, Hill, Kirkpatrick, Long and McNeill of Cumberland.

The bill is ordered engrossed.

S. B. 333, a bill to amend the Preamble and the several sections of the Constitution of North Carolina, for concurrence in the House amendment.

Upon motion of Senator Waynick, the Senate concurs in the House amendment, ayes 41, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blue, Boggan, Brown, Burgin, Clark, Clement, Cross, Dempsey, Dunagan, Efird, Francis, Fuller, Grady, Greene Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Summersill, Walker, Waynick—41.

The bill is ordered enrolled.

S. B. 633, a bill supplemental to S. B. 55, the same being "An act to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses."

Senator Hartsell offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

Senator MacLean moves that the vote by which S. B. 419 a bill to provide for the establishment of a State supervised insurance fund; and for the purpose of providing insurance to employers subject to the Workmen's Compensation Act; and to provide for the administering of said fund, and to amend chapter 120 of the Public Laws of 1929, failed to pass its third reading be reconsidered.

Upon this motion Senator Dunagan calls for the ayes and noes.

The call is sustained.

The motion fails to prevail, ayes 18, noes 26, as follows:

Those voting in the affirmative are: Senators Bagley, Bailey, Beatty, Bell, Blackstock, Bland, Dunagan, Francis, Fuller, Griffin of Chowan, Griffin of



Franklin, Hairfield, Hanes, Hill, Ingram, Long, McNeill of Cumberland, Walker—18.

Those voting in the negative are: Senators Aiken, Barker, Blue, Boggan, Brown, Corey, Cross, Dempsey, Efrd, Grady, Greene, Hartsell, Hinsdale, Joyner, Kirkpatrick, Land, MacLean, McBryde, McDuffee, Moore, Noell, Patton, Rankin, Sparger, Summersill, Waynick—26.

The following pairs are announced: Senator Burgin, "aye," Senator Blackburn, "no"; Senator Clement, "aye," Senator Gwyn, "no."

Senator Rankin, for the Conferees to consider the differences arising upon H. B. 120, a bill to raise revenue, submits the report of the Conferees, which is filed for information to be taken up for consideration when the House of Representatives has completed its consideration of the report and notified the Senate of such action.

Upon motion of Senator Clement, H. B. 1482, a bill to postpone tax sales in Avery County, is taken from the unfavorable Calendar and placed upon the Calendar.

#### CONFERENCE REPORT

Senator Joyner for the conferees appointed to consider the differences arising upon S. B. 493, a bill for the relief of Gaston, Jackson, Occoneechee and Rich Square Townships of Northampton County, submits the following report:

#### *To the Senate and House of Representatives:*

We, the undersigned conferees appointed by the Senate and by the House of Representatives to consider the differences arising over Senate Bill No. 493, respectively submit the following report and recommendation:

That the House of Representatives recede from the amendment adopted by it to the above-mentioned original bill.

Respectfully submitted,

W. H. JOYNER,

E. W. SUMMERSILL,

*Conferees on the part of the Senate.*

J. R. YOUNG,

W. W. NEAL,

*Conferees on the part of the House.*

Upon motion of Senator Joyner, the Senate adopts the Conference Report, and a message is ordered sent to the House of Representatives informing that Body of such action.

Senator Hinsdale gives notice that he will not move to reconsider the vote by which the Senate concurred in the House amendment to S. B. 398, a bill to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income, etc., and the bill is ordered enrolled.

Upon motion of Senator Blue, the Senate recesses to meet tonight at 8:00 o'clock.

## EVENING SESSION

SENATE CHAMBER,

FRIDAY, May 5, 1933.

The Senate meets pursuant to recess, and is called to order by Lieutenant-Governor A. H. Graham.

Upon motion of Senator Patton, H. B. 1410, a bill to prohibit the commissioners of the county of Macon from levying any special tax to pay township bonds, except in the townships where said bonds are voted and issued, is taken from the Committee on Finance and placed upon the Calendar.

Upon motion of Senator Bailey, H. B. 1511, a bill to validate a municipal election to be held for the town of Pantego, Beaufort County, on Tuesday, May 9, 1933, is taken from the Committee on Election Laws and placed upon the Calendar.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Kirkpatrick, for the Committee on Public Roads:

S. B. 574, a bill supplemental to and amendatory of S. B. 238, entitled "A bill to be entitled an act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said Patrol to perform other and additional duties to those prescribed by the act of 1929, chapter 218, and the act of 1931, chapter 381; and to transfer the illuminating oil and gas and lubricating oil, inspection division, to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors for such department and to limit the number of motor vehicle inspectors," ratified April 15, 1933, with a favorable report, as amended.

By Senator Kirkpatrick, for the Committee on Federal Relations:

S. R. 302, a joint resolution requesting Congress to pass an act placing rural free delivery routes on a competitive basis, with a favorable report.

By Senator Francis, for the Committee on Education:

H. B. 748, a bill to create a State Text Book Commission, and to provide for greater economy and efficiency in the adoption and use of textbooks in the schools, with a favorable report, as amended.

## ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed, and they are ordered sent to the House of Representatives:

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor.



## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Land: S. R. 661, a joint resolution calling a joint meeting of the Senate and House of Representatives to elect trustees of the University of North Carolina.

Upon motion of Senator Land, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Waynick: S. B. 662, a bill relating to funding and refunding bonds of Guilford County.

Placed upon the Calendar.

By Senator Greene: S. B. 663, a bill to empower the board of commissioners of Yancey County to include the expenses of building gymnasium in the general emergency fund.

Upon motion of Senator Greene, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Aiken: S. B. 664, a bill to aid public school teachers in securing, raising and renewing their certificates.

Upon motion of Senator Aiken, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

## CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1232, a bill to appoint justices of the peace for the several counties of North Carolina.

The various amendments offered are adopted.

Senator Patton offers an amendment which fails of adoption.

Senator McNeill of Cumberland offers an amendment which is withdrawn.

The bill, as amended, passes its second and third readings and is ordered returned to the House of Representatives for concurrence in the Senate amendments.

S. B. 618, a bill to preserve the recreational advantages of the State lakes.

Senator Beatty offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 628, a bill to provide for the setting up of uniform systems of county and municipal governments so as to permit the several counties and municipalities to reduce expenses when the same is deemed proper.

Various Senators offer amendments.

Upon motion of Senator Beatty, the bill, with pending amendments, is laid upon the Table.

S. B. 575, a bill to promote orderly liquidation of closed and insolvent banks in the State of North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 625, a bill to repeal chapter 322 of the Public Laws of 1931 so as to restrict motor vehicle trains to a combination of not more than two vehicles.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 637, a bill to amend chapter 210, Public-Local Laws of 1931, relative to the Bladen County game laws.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 361, a bill to amend chapter 120 of Public Laws of 1929, exempting sawmills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act.

Senator Francis moves that the bill lie upon the Table.

The motion fails to prevail.

Senator Dempsey offers an amendment which fails of adoption.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second reading.

Senator Francis objects to its final passage.

Senator McBryde moves that the rules be suspended and the bill placed upon its immediate passage.

The motion fails to prevail.

The bill remains upon the Calendar.

Upon motion of Senator Kirkpatrick, the Senate adjourns to meet tomorrow morning at 10:00 o'clock, at which time only Public-Local Bills are to be considered.

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## ONE HUNDRED SIXTH DAY

SENATE CHAMBER,

SATURDAY, May 6, 1933.

The Senate meets pursuant to adjournment and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. A. S. Parker, Central Methodist Church of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion, the reading of the Journal is dispensed with and it stands approved as written.

Worth Blue Purser, Roy Purser, Jr., and James Lauchlin Purser, grandchildren of Senator Blue of Scotland County are made Honorary Pages of the Senate.

Upon motion of Senator Francis, H. B. 1528, a bill supplemental to and amendatory of S. B. 385, it being entitled "An act to amend chapter 368 of the Public-Local Laws of 1911 and amendments thereto, relating to the police



courts in the town of Canton, Haywood County," is taken from the Committee on Courts and Judicial Districts and placed upon the Calendar.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 629, a bill to make original letters, authenticated by affidavit, competent in evidence in civil cases, reported without prejudice.

S. B. 654, a bill to prohibit the sale of beverages within two miles of the administrative building of Campbell College, town of Buie's Creek, Neill's Creek Township in Harnett County, with a favorable report, as amended.

H. B. 1046, a bill to amend section 2776 (s) of the Consolidated Statutes of North Carolina, relating to zoning of certain properties, with a favorable report, as amended.

S. B. 656, a bill to exempt the town of Bakersville, Mitchell County from the provisions of Senate Bill No. 367, relating to the sale of beer, spiritus frumenti or other intoxicants, with a favorable report.

H. B. 1188, a bill to amend section 2591 of the Consolidated Statutes, relating to the re-opening of judicial and other sales on advance bid, with a favorable report.

H. B. 1368, a bill to amend chapter 454 of the Public-Local Laws of 1931, relating to the duties of the clerk of the recorder's court of Cleveland County, with a favorable report.

H. B. 1400, a bill to permit old documents to be recorded where official seal of officer has not been affixed, with a favorable report.

H. B. 1414, a bill authorizing the board of aldermen of the town of Brevard to relieve the churches of said town of all paving or other assessments charged against them, with a favorable report, as amended.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Aiken: S. B. 665, a bill to prohibit the exhibition of any free medicine show or like performance in Catawba County.

Upon motion of Senator Aiken, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Patton: S. B. 666, a bill requiring the governing body and election officials of the town of Andrews, Cherokee County, to hereafter comply with the general election laws of North Carolina in calling and holding elections for the election of mayor and members of the board of aldermen.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Joyner: S. B. 667, a bill relating to the public officers of Northampton County.

Upon motion of Senator Joyner, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1523, a bill to repeal S. B. 367, ratified April 5, 1933, and S. B. 525, ratified April 28, 1933, to prohibit the sale of beer in the village of Macon, Warren County, North Carolina.

Placed upon the Calendar.

H. B. 1529, a bill relating to official bonds for county or municipal officers in Haywood County.

Placed upon the Calendar.

H. B. 1530, a bill to regulate appeals from courts of justices of the peace in civil actions in Martin County.

Placed upon the Calendar.

H. B. 1509, a bill to regulate peddling in the city of Winston-Salem.

Placed upon the Calendar.

H. B. 1520, a bill to regulate public printing in Mitchell County.

Placed upon the Calendar.

H. B. 1538, a bill to fix the punishment for unlawful fishing and trespass at Moore's Pond in Franklin County.

Placed upon the Calendar.

H. B. 1546, a bill to repeal H. B. 1146, entitled "An act to amend chapter 426 of the Public Laws of 1919, as amended, relative to the meter adjuster of the county of New Hanover," enrolled and ratified, April 5th, 1933.

Placed upon the Calendar.

H. B. 1547, a bill for the relief of the indigent families of the city of Wilmington by the city furnishing water to such indigent families and otherwise regulating the minimum charges, charged for water furnished by the city of Wilmington.

Placed upon the Calendar.

H. B. 1548, a bill to amend H. B. 889, entitled "An act to place officers of New Hanover County upon a salary basis and to fix the salaries of the city commissioners, including the mayor," enrolled and ratified March 22, 1933.

Placed upon the Calendar.

H. B. 1552, a bill to amend chapter 527 of the Public-Local Laws of 1921, amending chapter 800 of the Public-Local Laws of 1913, relating to salary of court stenographer for Hoke and Bladen counties.

Placed upon the Calendar.

H. B. 1555, a bill to amend S. B. 180, Public Laws of 1933, relating to refund of tax sales certificates.

Placed upon the Calendar.



H. B. 1556, a bill to approve postponement of date of tax sales.

Placed upon the Calendar.

H. B. 1543, a bill to regulate the sale of unginned or seed cotton in Beaufort County.

Placed upon the Calendar.

H. B. 1545, a bill to repeal H. B. 1150, enrolled and ratified May 1, 1933.

Placed upon the Calendar.

H. B. 1530, a bill to prohibit the sale of beer or other alcoholic beverage within one and one-half miles of the village of Highfalls, Moore County.

Placed upon the Calendar.

H. B. 1478, a bill to amend chapter 110, article 6, of the Consolidated Statutes, relating to chiropractic.

Placed upon the Calendar.

H. B. 1489, a bill to clarify acts of the General Assembly of 1933, containing references to and amendments of the North Carolina Code.

Placed upon the Calendar.

H. B. 1502, a bill to amend S. B. 525, relating to application for license to sell beer.

Placed upon the Calendar.

H. R. 1557, a joint resolution encouraging the celebration of the three hundred and fiftieth anniversary of the founding of an English settlement on Roanoke Island.

Placed upon the Calendar.

H. B. 1558, a bill to validate the acts of J. S. McRae, a justice of the peace for the County of Robeson.

Placed upon the Calendar.

H. B. 1559, a bill to amend S. B. 180 of the session of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933, so as to include Union County in section 14 thereof.

Upon motion of Senator Boggan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1564, a bill to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

Placed upon the Calendar.

S. B. 490, a bill to create a building code council for North Carolina, for concurrence in the House amendment.

Placed upon the Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1528, a bill supplemental to and amendatory of S. B. 385, it being entitled "An act to amend chapter 368 of the Public-Local Laws of 1911 and amendments thereto, relating to the police courts in the town of Canton, Haywood County."

Passes its second and third readings and is ordered enrolled.

H. B. 1520, a bill to regulate public printing in Mitchell County.

Upon motion of Senator Greene, the bill is laid on the table.

S. B. 656, a bill to exempt the town of Bakersville, Mitchell County, from the provisions of S. B. 367, relating to the sale of beer, spiritus frumenti or other intoxicants.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1414, a bill authorizing the board of aldermen of the town of Brevard to relieve the churches of said town of all paving or other assessments charged against them.

Upon motion of Senator Francis, the bill is laid upon the table.

S. B. 614, a bill to fix the terms of office of the board of education in Mitchell County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 631, a bill relating to tax penalties in the County of Cumberland.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 647, a bill to allocate Union Township, Robeson County, to the proper recorder's court and commissioners districts.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 651, a bill to amend the law regulating the sale of alcoholic beverages near Guilford College.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 658, a bill relating to the fees of the clerk of the court of Mitchell County and the salary of the sheriff and to abolish the office of treasurer-tax collector of said county.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 659, a bill to repeal chapter 40, Private Laws of 1874-1875, repealing the charter of the town of Morrisville, Wake County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 660, a bill to appoint a cotton weigher for the town of Stanfield in Stanly County, North Carolina.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 756, a bill to require the board of education of Swain County to pay Mrs. Roy Beard for services rendered in the year 1931.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 853, a bill to provide conditions under which a farm agent or farm demonstrator may be employed in Yancey County.

H. B. 1165, a bill to repeal chapter 171, Private Laws of 1923, appointing trustees for school district number 8, Waynesville Township, Haywood County,



North Carolina, and to authorize the clerk of the Superior Court of Haywood County to convey title to a certain lot of land in said township.

Passes its second and third readings and is ordered enrolled.

H. B. 1349, a bill to amend chapter 149 of the Private Laws of North Carolina, Session 1931, being "An act providing for the appointment of a school board for the Asheville local tax school district and defining its powers and duties."

Senator Blackstock offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1316, a bill to amend H. B. 763, Public-Local Laws of 1933, ratified on March 20, 1933, reducing the salary of the clerk of the Superior Court of Franklin County.

Passes its second and third readings and is ordered enrolled.

H. B. 1364, a bill to fix the salary of the clerk of the Superior Court of Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 1366, a bill relating to teachers of vocational education in Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 1367, a bill to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 1463, a bill to fix the salary of the register of deeds of Yancey County.

Passes its second and third readings and is ordered enrolled.

H. B. 1482, a bill to postpone tax sales in Avery County.

Senator Clement offers an amendment which is adopted.

The bill, as amended, passes its second reading and upon objection of Senator Greene to its final passage, the bill remains upon the Calendar.

H. B. 1488, a bill to consolidate the townships of Hatteras and Kennakeet in Dare County, and to provide for the election of one member of the county board of commissioners and one member of the county board of education from such consolidated township.

Passes its second and third readings and is ordered enrolled.

H. B. 1493, a bill to amend article 3, section 2365 of the Consolidated Statutes, relative to removal of tenants in certain cases, applicable to Johnston County only.

Passes its second and third readings and is ordered enrolled.

H. B. 1517, a bill to prohibit the sale of beverages within the corporate limits of Montreat, Mars Hill and the association grounds of the Baptist Assembly at Ridge Crest, in Buncombe County.

Senator Blackstock offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1519, a bill to amend H. B. 1022, ratified March 27, 1933, entitled "An act to regulate the duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County."

Passes its second and third readings and is ordered enrolled.

H. B. 1521, a bill to amend chapter 441 of Public Laws of 1931, regarding levying of special taxes in certain counties so as to include Union.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Blackstock, H. B. 1329, a bill to amend chapter 205 of the Private Laws of 1929, relating to the corporate limits of the city of Asheville, is taken from the unfavorable Calendar and placed upon the Calendar.

The President appoints as a Calendar Committee, Senators Moore, Waynick, Bland, Kirkpatrick and Hill.

Upon motion of Senator Hinsdale, the Senate adjourns to meet Monday night at 8:00 o'clock.

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### ONE HUNDRED SEVENTH DAY

SENATE CHAMBER,

MONDAY, May 8, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Senator Kirkpatrick of Mecklenburg County.

Senator Patton for the Committee on Journal announces that he has examined the Journal of Saturday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Rankin, H. B. 1123, a bill to amend chapter 249, Public Laws 1931, relating to the extension of special assessments, is taken from the unfavorable Calendar and placed upon the Calendar.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 1353, a bill to abolish the office of the treasurer of McDowell County, North Carolina, and to regulate the fees and salaries of officers of said county, with a favorable report as amended.

By Senator McDuffee, for the Committee on Counties, Cities and Towns:

H. B. 1121, a bill to amend chapter 192 of the Private Laws of 1889 and chapter 231 of the Private Laws of North Carolina of 1893 and chapter 112 of the Private Laws of North Carolina of 1911 and chapter 323 of the Private Laws of North Carolina of 1915, and chapter 119 of the Private Laws of North Carolina of 1927, and to fix the corporate limits of the town of Windsor, in Bertie County, with a favorable report as amended.

By Senator Aiken, for the Committee on Courts and Judicial Districts:

H. B. 1072, a bill to amend section 1443 of Volume III of the Consolidated Statutes, as amended by chapter 123, Public Laws of 1929, providing an additional term of court for Northampton County, with a favorable report.



H. B. 1185, a bill to amend the Consolidated Statutes of North Carolina, section 1443, relating to the Superior Courts of North Carolina, with a favorable report.

H. B. 1390, a bill to amend chapter 169 of the Public Laws of 1923, relating to the terms of court in Davidson County, with a favorable report.

H. B. 1469, a bill to repeal chapter 17 of the Public Laws of 1931, being "An act to amend section 1608 (f), Volume III, of the Consolidated Statutes, relating to the general county court of Caswell County," with a favorable report.

#### CONFERENCE REPORT

Senator Hanes, for the Conferees appointed to consider the differences arising upon S. B. 121, a bill to amend chapter 120, Public Laws 1929, known as "The Workmen's Compensation Act," so as to provide that employers and employees of electric street railroads may come under the provisions thereof, submits the following report:

*To the President of the Senate and Speaker of the House of Representatives:*

Your conferees appointed to adjust the differences between the Senate and House of Representatives on Senate bill No. 121 report and recommend that the Senate do concur in the House amendment and approve the bill as passed by the House.

Respectfully submitted,

R. W. HANES,

J. C. DEMPSEY,

*Conferees on be half of the Senate.*

R. G. JOHNSON,

H. L. TAYLOR,

J. C. MARTIN,

*Conferees on behalf of the  
House of Representatives.*

Upon motion of Senator Hanes, the Senate adopts the conference report and a message is ordered sent to the House of Representatives, informing that body of such action.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolution are introduced, read the first time, and disposed of as follows:

By Senator Blackstock: S. B. 668, a bill to authorize the issuance of scrip by the city of Asheville.

Upon motion of Senator Blackstock, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Blackstock: S. B. 669, a bill to authorize the issuance of scrip by the county of Buncombe.

Upon motion of Senator Blackstock, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Patton: S. B. 670, a bill to define the powers and duties of the board of revaluation and review of Yancey County.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Aiken: S. B. 671, a bill to amend H. B. 1059, which is entitled "An act providing for the working of prisoners on the streets of the town of Maiden, in Catawba County, North Carolina, applicable also to the town of Conover."

Upon motion of Senator Aiken, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Land: S. B. 672, a bill to authorize the issuance of scrip in Iredell County.

Upon motion of Senator Land, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Land: S. B. 673, a bill to authorize the issuance of scrip by the city of Statesville.

Upon motion of Senator Land, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hairfield: S. B. 674, a bill supplemental to and amendatory of S. B. 593, it being "An act to amend the charter of the town of Morganton, providing for the payment of taxes in partial or installment payments," ratified May 1, 1933.

Upon motion of Senator Hairfield, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Summersill: S. B. 675, a bill to include Lenoir County within the provisions of chapter 235 of the Public Laws of 1927, relating to county construction work.

Placed upon the Calendar.

By Senator Kirkpatrick: S. B. 676, a bill to prevent kidnapping in the State of North Carolina and fixing the penalty for kidnapping a human being.

Referred to Committee on Judiciary No. 2.

By Senator Sparger: S. B. 677, a bill to amend S. B. 313, relating to the fees for registering Federal crop liens and Federal chattel mortgages, which was ratified March 20, 1933, by exempting Stokes County from the operation of said act.

Upon motion of Senator Sparger, the rules are suspended and the bill is placed upon its immediate readings.



Passes its second and third readings and is ordered sent to the House of Representatives.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1535, a bill authorizing the board of commissioners of Transylvania County to accept county bonds in payment of certain notes held as additional collateral for county deposits in the now defunct Brevard Banking Company.

Placed upon the Calendar.

H. B. 1537, a bill providing for certain special tax in Swain County.

Placed upon the Calendar.

H. B. 1540, a bill authorizing the county commissioners of Wilkes County to appoint a special police officer to handle the county bloodhound or bloodhounds.

Placed upon the Calendar.

H. B. 1569, a bill to amend chapter 120, Public Laws of North Carolina, session 1929, and the acts amendatory thereof or supplementary thereto, by exempting Mecklenburg County from the provisions thereof.

Upon motion of Senator Kirkpatrick, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Hinsdale, the vote by which the bill passed its third reading is reconsidered.

Upon motion of Senator Hinsdale, the bill is laid upon the table.

H. B. 1585, a bill to amend chapter 415, Public Local Laws 1915, relative to the recorder's court of Leaksville Township, Rockingham County.

Upon motion of Senator Gwyn, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,

May 8, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House fails to concur in Senate amendments to H. B. 1232, title, "To appoint justices of the peace for the several counties of North Carolina," and asks for conference committee. For your information, the Speaker has appointed Messrs. Moye, Boswell, Thompson of Beaufort, on the part of the House to confer with a similar committee of your body to the end that the differences arising may be adjusted.

Respectfully,

THAD EURE,  
*Principal Clerk.*

The President announces the appointment of Senator McNeill of Cumberland and Senator Fuller as conferees on the part of the Senate. A message is ordered sent to the House informing that body of such action.

HOUSE OF REPRESENTATIVES,

May 8, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has refused to adopt the conferees report on Senate bill No. 493, title, "For the relief of taxpayers of Gaston, Jackson, Occoneechee and Rich Square Townships in Northampton County." The House has instructed the discharge of its conferees appointed to adjust the differences arising between the House and Senate on this bill.

Respectfully,

THAD EURE,

*Principal Clerk.*

HOUSE OF REPRESENTATIVES,

May 8, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body requesting the return of S. B. 493, title "for the relief of taxapayers of Gaston, Jackson, Occoneechee and Rich Square Townships, in Northampton County," for further consideration by the House of Representatives.

Respectfully,

THAD EURE,

*Principal Clerk.*

Upon motion of Senator Joyner, the bill is ordered returned to the House of Representatives.

HOUSE OF REPRESENTATIVES,

May 8, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House has adopted the conferees report on S. B. 121, title "To amend chapter 120, Public Laws of 1929, the same being known as the Workmen's Compensation Act, so as to provide that employers and employees of electric street railroads may come under the provisions thereof," to the end that if a similar report is adopted by your body the bill may be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk.*

The bill is ordered enrolled.

## ENROLLED BILLS

Senator Eflrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 333, an act to amend the preamble and the several sections of the Constitution of North Carolina.

S. B. 398, an act to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sani-



tary housing for families of low income, and for the sale or rental thereof on reasonable terms; authorizing the incorporation of limited dividend housing companies, and prescribing the powers, rights and duties thereof; creating a State Board of Housing for the purpose of encouraging, approving, assisting, supervising and regulating such activities, prescribing and defining the powers and duties of the board, including supervisory and regulatory powers over limited dividend housing companies engaged in such activities, authorizing the board to fix within certain limits the rentals or purchase price of housing accommodations furnished by limited dividend housing companies.

S. B. 548, an act to incorporate the North Carolina State Thrift Society.

S. B. 596, an act to amend chapter 42, Private Laws of 1931, relating to the election of school trustees for the board of school trustees of Roanoke Rapids by the qualified voters of the Roanoke Rapids Graded School District.

S. B. 599, an act to amend Senate bill 451, ratified April 24, 1933, same being entitled "an act allowing and directing the tax collecting authorities in the city of Asheboro to accept bonds in the payment of street assessments and certain taxes."

S. B. 635, an act authorizing the issuance of notes in exchange for outstanding school vouchers by Sampson County.

S. B. 640, an act to place the sheriff of Wilson County on a salary and to authorize the board of county commissioners to fix the amount thereof.

S. B. 644, an act to amend section 3, chapter 21, of the Private Laws of 1931 in respect to the city government of Monroe.

S. B. 645, an act to authorize the city of Winston-Salem to accept certain bonds in payment of taxes, special assessments and other dues.

S. B. 646, an act to legalize mass meetings in the town of Roxboro for the purpose of nominating municipal officers; and to regulate the printing and use of official ballots in said town.

S. R. 661, a joint resolution calling a joint meeting of the Senate and House of Representatives to elect trustees of the University of North Carolina.

H. B. 853, an act to provide conditions under which a farm agent or farm demonstrator may be employed in Yancey County.

H. B. 1064, an act to provide for the collection of delinquent taxes on real estate in Polk County.

H. B. 1221, an act to extend the period for commencement of actions on certain evidences of indebtedness of Carteret County.

H. B. 1316, an act to amend H. B. 763, Public-Local Laws of 1933, ratified on March 20, 1933, reducing the salary of the clerk of the Superior Court of Franklin County.

H. B. 1350, an act to release church property in the town of Boone, Watauga County, from the payment of street and sidewalk paving assessments.

H. B. 1364, an act to fix the salary of the clerk of the Superior Court of Columbus County.

H. B. 1366, an act relating to teachers of vocational education in Columbus County.

H. B. 1367, an act to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Columbus County.

H. B. 1375, an act to provide for the nomination of candidates for the office of county commissioner of Pasquotank County by the qualified voters of the entire county.

H. B. 1381, an act supplemental to and amendatory of H. B. 990, it being "An act to authorize the board of commissioners of Transylvania County to purchase the building known as the Brevard Banking Company Building in the town of Brevard," ratified March 30, 1933.

H. B. 1386, an act to aid the collection of back taxes in the city of Hendersonville.

H. B. 1403, an act to amend the tax foreclosure act of 1933, known as H. B. 158, to exempt from its provisions Alamance County and the municipalities therein.

H. B. 1409, an act to release church property in the town of Benson, Johnston County, from the payment of street and sidewalk paving assessments.

H. B. 1417, an act to amend chapter 227 of the Public-Local Laws of 1931, creating five districts in Bertie County for the election of county commissioners.

H. B. 1454, an act to encourage the enforcement of the Turlington Act in Franklin County.

H. B. 1457, an act to make certain photostatic copies of the map books in Harnett County admissible as evidence in all courts for the said county.

H. B. 1464, an act to amend S. B. 180, the same being a bill to be entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933, relative to Nash County.

H. B. 1483, an act to provide for a new registration of the voters of the city of Raleigh before the next municipal election.

H. B. 1488, an act to consolidate the townships of Hatteras and Kennakeet in Dare County, and to provide for the election of one member of the county board of commissioners and one member of the county board of education from such consolidated township.

H. B. 1493, an act to amend article 3, section 2365, of the Consolidated Statutes, relative to removal of tenants in certain cases, applicable to Johnston County only.

H. B. 1165, an act to repeal chapter 171, Private Laws of 1923, appointing trustees for School District No. 8, Waynesville Township, Haywood County, North Carolina, and to authorize the clerk of the Superior Court of Haywood County to convey title to a certain lot of land in said township.

H. B. 1505, an act to regulate the issuance of criminal processes out of justice of the peace courts for Richmond County.

H. R. 1512, a joint resolution appointing Mrs. Robert Cabell, a member of the Bennett Place Memorial Commission to succeed her mother, the late Mrs. Sallie Tate Morgan.

H. B. 1514, an act to provide for the appointment of a court stenographer for Pitt County.

H. B. 1519, an act to amend H. B. 1022, ratified March 27, 1933, entitled, "An act to regulate the duties of sheriff of Edgecombe County and establish office of tax collector of Edgecombe County."



H. B. 1521, an act to amend chapter 441 of Public Laws of 1931, regarding levying of special taxes in certain counties so as to include Union.

H. B. 1528, an act supplemental to and amendatory of S. B. 385, it being entitled, "An act to amend chapter 368 of the Public-Local Laws of 1911 and amendments thereto, relating to the police courts in the town of Canton, Haywood County."

H. B. 1532, an act to amend chapter 228, Public-Local Laws of 1917, relating to the office of county treasurer of Yadkin County.

H. B. 1559, an act to amend Senate bill 180, of the session of 1933, entitled, "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933, so as to include Union County in section 14 thereof.

H. R. 1560, a joint resolution making the Chickadee the official bird of North Carolina

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1147, a bill to amend chapter 195 of the Private Laws of 1927, relative to the corporate limits of the town of Carolina Beach, upon third reading.

The bill passes third reading, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Haynes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Waynick—38.

The bill is ordered enrolled.

H. B. 1509, a bill to regulate peddling in the city of Winston-Salem, upon second reading.

The bill passes second reading, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Haynes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Waynick—38.

S. B. 662, a bill relating to funding and refunding bonds of Guilford County, upon second reading.

The bill passes second reading, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hairfield, Haynes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Sparger, Summersill, Waynick—38.

S. B. 642, a bill to release church property in the town of East Flat Rock, Henderson County, from the payment of street and sidewalk paving and sewerage assessments.

The amendment offered by the Committee fails of adoption.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 654, a bill to prohibit the sale of beverages within two miles of the administrative building of Campbell College, town of Buie's Creek, Neill's Creek Township, in Harnett County.

The amendment offered by the committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives by a special messenger without engrossment.

H. B. 1368, a bill to amend chapter 454 of the Public-Local Laws of 1931, relating to the duties of the clerk of the recorder's court of Cleveland County.

Passes its second and third readings and is ordered enrolled.

H. B. 1511, a bill to validate a municipal election to be held for the town of Pantego, Beaufort County, on Tuesday, May 9, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1523, a bill to repeal S. B. 367, ratified April 5, 1933, and S. B. 525, ratified April 28, 1933, to prohibit the sale of beer in the village of Macon, Warren County, North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 1529, a bill relating to official bonds for county or municipal officers in Haywood County.

Passes its second and third readings and is ordered enrolled.

H. B. 1555, a bill to amend S. B. 180, Public Laws of 1933, relating to refund of tax sales certificates.

Passes its second and third readings and is ordered enrolled.

H. B. 1556, a bill to approve postponement of date of tax sales.

Passes its second and third readings and is ordered enrolled.

H. B. 879, a bill to provide for a convention to consider and pass upon the proposed amendment to the Constitution of the United States, repealing the Eighteenth Amendment thereof as submitted by Seventy-second Congress, upon second reading.

The bill passes second reading, ayes 34, noes 8, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bland, Blue, Burgin, Clark, Clement, Corey, Dempsey, Efrd, Francis, Fuller, Grady, Griffin of Franklin, Gwyn, Hanes, Hill, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Sparger, Summersill, Waynick.—34.

Those voting in the negative are: Senators Barker, Bell, Boggan, Cross, Hairfield, Kirkpatrick, McBryde, Noell—8.

The bill passes third reading, ayes 36, noes 6, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Beatty, Bland, Blue, Burgin, Clark, Corey, Dempsey, Efrd, Frances, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Sparger, Summersill, Waynick—36.

Those voting in the negative are: Senators Barker, Bell, Boggan, Cross, Kirkpatrick, Noell—6.

The bill is ordered enrolled.

H. B. 1123, a bill to amend chapter 249, Public Laws 1931, relating to the extension of special assessments, upon second reading.



The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Efrid, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Rankin, Summersill, Waynick—39.

H. B. 1329, a bill to amend chapter 205 of the Private Laws of 1929, relating to the corporate limits of the city of Asheville, upon second reading.

The bill passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Efrid, Francis, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Rankin, Summersill, Waynick—39.

S. B. 133, a bill to amend "The North Carolina Workmen's Compensation Act" in order that the said act and the operation thereof shall be completely within the Department of Labor.

Upon motion of Senator Dempsey, action on the bill is deferred until tomorrow.

S. B. 490, a bill to create a Building Code Council for North Carolina, for concurrence in the House amendment.

Upon motion of Senator Griffin of Franklin, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 543, a bill to amend section 4323 of the Consolidated Statutes, relating to interfering with gas, electric and steam appliances.

Senator Kirkpatrick offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 555, a bill to amend section 2591 of the North Carolina Code of 1927, relating to reopening judiciary sales under execution.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1478, a bill to amend chapter 110, article 6, of the Consolidated Statutes, relating to chiropractic.

Passes its second reading and upon objection of Senator McNeill of Cumberland to its final reading, the bill remains upon the Calendar.

S. B. 649, a bill to amend section 390 of the Consolidated Statutes so as to allow application for restoration of citizenship to be made immediately in cases where unconditional pardon has been granted by the Governor.

Passes its second reading and upon objection of Senator Hinsdale to its final reading, the bill remains upon the Calendar.

Upon motion of Senator Blackstock, S. B. 542, a bill to transfer the office of superintendent of weights and measures to the department to be known as the office of utilities commissioner, and to otherwise amend chapter 261, Public Laws 1927, is taken from the unfavorable Calendar and re-referred to the Committee on Finance.

Upon motion of Senator Corey, H. B. 1486, a bill to allow the commissioners of the town of Ayden to accept municipal bonds in payment of certain taxes and street assessments, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Corey, H. B. 1309, a bill for the protection of buyers and sellers of leaf tobacco, is taken from the Committee on Agriculture and placed upon the Calendar.

Upon motion of Senator Francis, the Senate adjourns to meet tomorrow morning at 10:00 o'clock.

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### ONE HUNDRED EIGHTH DAY

SENATE CHAMBER,  
TUESDAY, May 9, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Senator Boggan, Anson County.

Senator Patton, for the Committee on Journal, announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Hill, for the Committee on Banks and Banking:

S. B. 636, a bill to provide for the levy of assessment on stockholders of banks operating under restrictions, reported without prejudice.

S. B. 652, a bill to amend chapter 113, Public Laws of 1927, relating to the liquidation of banks, with an unfavorable report.

S. B. 653, a bill to amend section 218 (c) of Volume III of the Consolidated Statutes as amended by chapter 113, Public Laws 1927, relating to unclaimed deposits in closed banks, with an unfavorable report.

H. B. 1317, a bill to establish banking facilities for small towns in North Carolina, with an unfavorable report.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed, and they are ordered sent to the House of Representatives:

S. B. 618, a bill to preserve the recreational advantages of the State lakes.

S. B. 633, a bill supplemental to Senate bill 55, the same being "An act to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses."

S. B. 543, a bill to amend section 4323 of the Consolidated Statutes.



## INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Walker: S. B. 678, a bill to prohibit the sales of beer and light wines in the village of Elon College, in Alamance County, North Carolina.

Upon motion of Senator Walker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Walker: S. B. 679, a bill to amend chapter 40 of the Private Laws of 1929, with reference to elections in the town of Graham, and to provide for elections in said town.

Placed upon the Calendar.

By Senator Walker: S. B. 680, a bill to amend section 2649, Volume I, Consolidated Statutes, relative to municipal elections in the town of Graham.

Placed upon the Calendar.

By Senator Patton: S. B. 681, a bill to amend House bill 1066, ratified April 11, 1933, entitled "An act to allow fishing in the Tennessee River and certain tributaries thereof in Macon County."

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 120, a bill to raise revenue.

Placed upon the Calendar.

H. B. 1475, a bill to release and remit tax penalties heretofore imposed by the county of Rowan and all municipalities in said county. Applicable also to Alexander, Ashe, Avery, Beaufort, Bertie, Bladen, Buncombe, Camden, Carteret, Caswell, Catawba, Chatham, Cherokee, Chowan, Clay, Columbus, Craven, Cumberland, Currituck, Davie, Duplin, Durham, Franklin, Gates, Greene, and others.

Placed upon the Calendar.

H. B. 1518, a bill to amend chapter 118 of the Consolidated Statutes of North Carolina relating to the administration of the Public Health Law so as to make further provisions for the creation and maintenance of sanitary districts and policing the same.

Placed upon the Calendar.

H. B. 1531, a bill to provide the regulation and taxation of peddlers in the counties of Cabarrus and Davidson.

Placed upon the Calendar.

H. B. 1525, a bill providing for a special levy for special purposes by Hertford County.

Placed upon the Calendar.

H. B. 1541, a bill to amend the charter of the city of Asheville so as to exclude certain property from the corporate limits thereof.

Placed upon the Calendar.

H. B. 1549, a bill to prohibit the sale of beer or other alcoholic beverage within one and one-half miles of the Quaker Children's Home in Moore County, applicable also to Wingate Junior College in Union County.

Placed upon the Calendar.

H. B. 1554, a bill to create the Caswell County Historical Commission.

Placed upon the Calendar.

H. B. 1563, a bill to amend H. B. 1464, being "An act to amend S. B. 180, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933, relative to Nash County.

Placed upon the Calendar.

H. B. 1567, a bill to change the hours when the polls shall open and close in all city elections to be held in the city of Durham.

Placed upon the Calendar.

H. B. 1568, a bill to amend H. B. 158, being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Placed upon the Calendar.

H. B. 1570, a bill to amend chapter 296 of the Public-Local Laws of 1927, relating to the collection of taxes in Avery County.

Placed upon the Calendar.

H. B. 1571, a bill to abolish the office of auditor of Stokes County and to amend chapter 483 Public-Local Laws 1931, relating to clerk hire for the clerk of the Superior Court of said county.

Placed upon the Calendar.

H. B. 1572, a bill to authorize the board of commissioners of the town of Morehead City, after notice and public hearing, to relieve church properties of special assessments.

Placed upon the Calendar.

H. B. 1573, a bill to exempt Granville County from the provisions of H. B. 660, ratified April 10, 1933, relating to application of fees in criminal cases to the payment of taxes.

Placed upon the Calendar.

H. B. 1576, a bill to authorize and empower the board of county commissioners of Mecklenburg County to refund certain taxes erroneously paid.

Placed upon the Calendar.

H. B. 1577, a bill to give the county commissioners the right to postpone the sale of land for delinquent 1932 taxes.

Placed upon the Calendar.

H. B. 1581, a bill to amend chapter 266, Private Laws of North Carolina, session 1923, relating to the water system of town of Lenoir.

Placed upon the Calendar.

H. B. 1590, a bill to appoint a tax collector for Columbus County.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.



Passes its second and third readings and is ordered enrolled.

H. B. 1591, a bill to appoint an auditor for Columbus County.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 662, a bill relating to funding and refunding bonds of Guilford County, upon third reading.

The bill passes third reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Efird, Francis, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Kirkpatrick, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—36.

The bill is ordered sent to the House of Representatives.

H. B. 1329, a bill to amend chapter 205 of the Private Laws of 1929, relating to the corporate limits of the city of Asheville, upon third reading.

The bill passes third reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Efird, Francis, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Kirkpatrick, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—36.

The bill is ordered enrolled.

H. B. 1509, a bill to regulate peddling in the city of Winston-Salem, upon third reading.

The bill passes third reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Efird, Francis, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Kirkpatrick, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—36.

The bill is ordered enrolled.

H. B. 1121, a bill to amend chapter 192 of the Private Laws of 1889 and chapter 231 of the Private Laws of North Carolina of 1893, and chapter 112 of the Private Laws of North Carolina of 1911, and chapter 323 of the Private Laws of North Carolina of 1915, and chapter 119 of the Private Laws of North Carolina of 1927, and to fix the corporate limits of the town of Windsor, in Bertie County, upon second reading.

The amendment offered by the Committee, held immaterial, is adopted.

The bill, as amended, passes second reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Corey, Cross, Dempsey, Efrid, Francis, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Ingram, Joyner, Kirkpatrick, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Sparger, Summersill, Walker, Waynick—36.

H. B. 1353, a bill to abolish the office of the treasurer of McDowell County, North Carolina, and to regulate the fees and salaries of officers in said county.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1390, a bill to amend chapter 169 of the Public Laws of 1923, relating to the terms of court in Davidson County.

Passes its second and third readings and is ordered enrolled.

H. B. 1410, a bill to prohibit the commissioners of the county of Macon from levying any special tax to pay township bonds, except in the townships where said bonds are voted and issued.

Senator Patton offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1469, a bill to repeal chapter 17 of the Public Laws of 1931, being "An act to amend section 1608 (f), Volume III, of the Consolidated Statutes, relating to the general county court of Caswell County.

Passes its second and third readings and is ordered enrolled.

H. B. 1530, a bill to regulate appeals from courts of justices of the peace in civil actions in Martin County.

Passes its second and third readings and is ordered enrolled.

H. B. 1486, a bill to allow the commissioners of the town of Ayden to accept municipal bonds in payment of certain taxes and street assessments.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1535, a bill authorizing the board of commissioners of Transylvania County to accept county bonds in payment of certain notes held as additional collateral for county deposits in the now defunct Brevard Banking Company.

Passes its second and third readings and is ordered enrolled.

H. B. 1548, a bill to amend House bill 889, entitled "An act to place the officers of New Hanover County upon a salary basis and to fix the salaries of the city commissioners, including the mayor," enrolled and ratified March 22, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1547, a bill for the relief of the indigent families of the city of Wilmington by the city furnishing water to such indigent families and otherwise regulating the minimum charges, charged for water furnished by the city of Wilmington.

Passes its second and third readings and is ordered enrolled.

H. B. 1543, a bill to regulate the sale of unginned or seed cotton in Beaufort County.

Passes its second and third readings and is ordered enrolled.



H. B. 1564, a bill to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates, ratified the 27th day of March, 1933.

Senator Hairfield offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1558, a bill to validate the acts of J. S. McRae, a justice of the peace for the county of Robeson.

Passes its second and third readings and is ordered enrolled.

H. B. 1552, a bill to amend chapter 527 of the Public-Local Laws of 1921, amending chapter 800 of the Public-Local Laws of 1913, relating to salary of court stenographer for Hoke and Bladen counties.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Greene, S. B. 658, a bill relating to the fees of the clerk of the court of Mitchell County and the salary of the sheriff and to abolish the office of treasurer-tax collector of said county, is ordered recalled from the House of Representatives.

Upon motion of Senator Boggan, S. B. 562, a bill to submit a proposed amendment to section 3 of article 5 of the Constitution of North Carolina, raising the rate of tax on incomes, is taken from the Committee on Constitutional Amendments and placed upon the Calendar.

#### SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES,  
May 9, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that pursuant to joint resolution introduced by Senator Land, and heretofore passed by both Houses, the House of Representatives stands ready to receive the Senate in joint session at twelve o'clock noon for the purpose of electing trustees of the University of North Carolina.

Respectfully,

THAD EURE,  
*Clerk of the House.*

A message is ordered sent to the House of Representatives informing that Honorable Body that the Senate will be ready to enter the Hall of the House of Representatives at the hour of 12:00 o'clock m.

#### JOINT SESSION

Pursuant to a resolution duly ratified and after an exchange of messages between the two Houses, the Senate preceded by its officers, proceeds to the Hall of the House of Representatives, where they are received by the Speaker and members standing.

The President of the Senate calls the Joint Assembly of the Senate and House of Representatives to order and states its object to elect trustees of the University.

The clerk of the Senate calls the roll of the Senators and forty-two Senators answer the call.

The clerk of the House calls the roll of the House of Representatives and one hundred two members answer the call.

A quorum of each House being declared present, the Joint Session proceeds with the business for which it convenes.

Senator Land, on the part of the Joint Committee on the Trustees of the University, makes the following report and nomination in writing and moves its adoption:

REPORT OF THE COMMITTEE ON TRUSTEES OF THE UNIVERSITY TO THE GENERAL  
ASSEMBLY OF NORTH CAROLINA, SESSION 1933

We, your Joint Committee, on the part of the Senate and House of Representatives, on the Trustees of the University of North Carolina, beg leave to report the following nominations:

*For the Term Expiring April 1, 1941*

S. B. Alexander, Mecklenburg County.

Miss Annie Moore Cherry, Halifax County.

Hayden Clement, Rowan County.

Josephus Daniels, Wake County.

B. B. Everett, Halifax County.

R. O. Everett, Durham County.

C. C. Efird, Stanly County.

W. D. Faucette, Halifax County.

Richard T. Fountain, Edgecombe County.

W. R. Francis, Haywood County.

James A. Gray, Forsyth County.

George C. Greene, Halifax County.

R. L. Harris, Person County.

W. L. Long, Halifax County.

R. E. Little, Anson County.

A. W. MacLean, Robeson County.

Mrs. Lillie C. Mebane, Rockingham County.

Harriss Newman, New Hanover County.

Clarence Poe, Wake County.

Mrs. Mary L. Tomlinson, Guilford County.

Miss Easdale Shaw, Richmond County.

J. F. Spruill, Davidson County.

Irvin B. Tucker, Columbus County.

J. Kenyon Wilson, Pasquotank County.

Graham Woodard, Wilson County.



*For the Term Expiring April 1, 1939*

O. Max Gardner, Cleveland County.  
H. D. Bateman, Wilson County.  
W. H. S. Burgwyn, Northampton County.

*For the Term Expiring April 1, 1937*

I. P. Davis, Dare County.  
J. D. Beatty, Jr., Bladen County.  
W. R. Dalton, Rockingham County.  
John W. Aiken, Catawba County.  
John W. Clark, Randolph County.

*For the Term Expiring April 1, 1935*

Arthur M. Dixon, Gaston County.

E. M. LAND,  
*Chairman, Senate Committee.*  
R. O. EVERETT,  
*Chairman, House Committee.*

Mr. Murphy offers an amendment striking out the name of W. L. Long of Halifax County and substituting therefor the name of Cameron Morrison of Mecklenburg.

Senator MacLean offers an amendment striking out the name of W. L. Long of Halifax County and substituting therefor the name of Junius D. Grimes of Beaufort.

Mr. Sullivan offers an amendment striking out the name of R. O. Everett of Durham and substituting therefore the name of George C. Stevens of Buncombe.

Mr. Allen offers an amendment striking out the name of R. R. Harris of Person and substituting the name of A. A. Hicks of Granville.

Senator Francis offers an amendment striking out the name of W. R. Francis of Haywood and substituting therefor the name of William T. Hannah of Haywood.

Mr. Johnson of Chatham offers an amendment striking out the name of Graham Woodard of Wilson and substituting therefor the name of A. H. London of Chatham.

Mr. Thompson of Beaufort offers an amendment striking out the name of B. B. Everett of Halifax and substituting therefor the name of J. D. Grimes of Beaufort.

Mr. Beasley offers an amendment striking out the name of W. D. Faucette of Halifax and substituting therefor the name of W. B. Love of Union.

Mr. Groves offers an amendment striking out the name of W. L. Long of Halifax and substituting therefor the name of Charles Lee Smith of Wake.

Senator Bailey offers an amendment striking out the name of Josephus Daniels of Wake and substituting therefore the name of W. R. Hampton of Washington City.

Mr. Scarborough offers an amendment striking from the report the names of W. R. Francis, Hayden Clement, R. O. Everett, C. C. Eford, R. L. Harris, Mrs. Lillie C. Mebane and Harris Newman.

Senator Moore offers an amendment to refer the report to the Joint Committee, together with the amendments offered.

The amendment offered by Senator Moore fails of adoption.

The amendment offered by Mr. Scarborough fails of adoption.

The amendment offered by Senator Bailey fails of adoption.

The amendment offered by Mr. Groves fails of adoption.

The amendment offered by Mr. Beasley fails of adoption.

The amendment offered by Mr. Thompson is adopted.

The amendment offered by Mr. Johnson of Chatham fails of adoption.

The amendment offered by Senator Francis is adopted.

The amendment offered by Mr. Allen fails of adoption.

The amendment offered by Mr. Sullivan fails of adoption.

The amendment offered by Senator MacLean is withdrawn.

The amendment offered by Mr. Murphy is adopted.

The report as amended is adopted by a roll call vote of the Senate and House of Representatives, respectively:

The following Senators vote in the affirmative: Senators Bailey, Barker, Beatty, Bell, Blackstock, Bland, Boggan, Burgin, Clark, Clement, Corey, Cross, Dempsey, Ebird, Francis, Fuller, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Sparger, Summersill, Walker, Waynick—41.

Those voting in the negative are: None.

The following members of the House of Representatives vote in the affirmative: Mr. Speaker, Messrs. Arndt, Aycock of Wake, Barden, Bean, Beasley, Bender, Berryman, Binford, Bowie, Boyd, Braddy, Brawley, Brown, Cameron, Cherry, Coffey, Cox, Crews, Culpepper, Davis, Dees, Doughton of Alleghany, Douglass, Downtin of Warren, Edwards, Etheridge, Everett, Ewing, Flanagan, Froneberger, Galloway, Gardner, Garibaldi, Gatling, Graham, Grant, Greene, Greer, Groves, Hamilton, Haynes, Howell, Hoyle, Hutchins, Ingram, James, Johnson of Chatham, Johnson of Pender, Lumpkin, Makepeace, Massenburg, Mebane, Mizzell, Moore, Morphew, Moss, Moye, Murphy, McEachern, Neal, Newman, Oaks, O'Berry, Olive, Phillips, Pope, Randolph, Ray, Rouse, Ruark, Scarborough, Sigmon, Smith, Spruill, Sullivan, Tatum, Taylor of Currituck, Taylor of Halifax, Taylor of Mecklenburg, Thomas, Thompson of Beaufort, Thompson of Columbus, Thompson of Robeson, Tompkins, Turner of Guilford, Turner of Iredell, Vann, Warlick, Watson, White, Williams, Wilson, Womble, Woodall, Woodfin, Young.—97.

The following member of the House of Representatives vote in the negative: Mr. Allen—1.

Whereupon, the President of the Senate, presiding over the Joint Assembly, declares that the persons nominated by Senator Land, for the Committee, as amended, are duly elected trustees of the University for the terms designated in the report.

Upon motion of Senator Land the Joint Session is dissolved and the Senate returns to its Chamber.

Upon motion of Senator Kirkpatrick, the Senate recesses to meet at 2:30 o'clock p.m.



## AFTERNOON SESSION

SENATE CHAMBER,

TUESDAY, May 9, 1933.

The Senate meets pursuant to recess and is called to order by Lieutenant-Governor A. H. Graham.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

H. B. 1355, a bill to authorize the creation of the office of tax collector for the county of Alamance, with a favorable report as amended.

H. B. 1247, a bill to amend S. B. 180, ratified by the General Assembly of 1933 on March 27, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," with an unfavorable report.

H. B. 1388, a bill to repeal S. B. 468, ratified April 5, 1933, so as to permit refund of tax sales certificates and exemption from tax penalties in Scotland County, with an unfavorable report.

H. B. 1358, a bill for the relief of the sheriff of Surry County, and to provide for the sale of real estate for unpaid taxes of the years 1930 and 1931, with a favorable report.

By Senator Hinsdale, for the Committee on Judiciary No. 1:

S. B. 197, a bill to repeal chapter 28, Public Laws of 1929, being "An act to amend chapter 22, section 1138, of the Consolidated Statutes of North Carolina, relating to corporations," with an unfavorable report as to bill, favorable as to substitute offered by the Committee.

S. B. 198, a bill to repeal chapter 29, Public Laws of 1929, being "An act to amend chapter 22 section 1140, of the Consolidated Statutes of North Carolina, relating to corporations," with an unfavorable report.

H. B. 1419, a bill to amend chapter 136, Public Laws 1927, known as the bus law, with a favorable report.

By Senator McDuffee, for the Committee on Propositions and Grievances:

H. B. 1397, a bill to amend section 1970 of the Consolidated Statutes of North Carolina, relating to Sunday fishing, with a favorable report.

H. B. 1494, a bill to regulate the operation of bathing beaches or resorts in sections of Beaufort County, with a favorable report.

H. B. 1551, a bill to compel the closure of service station, stores, soft drink stands and other like establishments and to prevent the conduct of the same and the sale of merchandise therefrom during certain hours on Sunday, near Oak Ridge Military Institute in Guilford County, with a favorable report.

H. B. 1239, a bill to amend section 4428 of the Consolidated Statutes of North Carolina, relating to lotteries, with an unfavorable report.

By Senator Walker, for the Committee on Election Laws:

H. B. 1503, a bill to validate the municipal elections of Morehead City, held May 2, 1933, with a favorable report.

By Senator Aiken for the Committee on Courts and Judicial Districts:

S. B. 590, a bill relative to the recorder's court of Henderson County and to amend chapter 262, Public Laws of 1931, with an unfavorable report.

H. B. 1169, a bill to amend S. B. 334, ratified on the 27th day of March, 1933, and being entitled, "An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the recorder's court of Thomasville," with an unfavorable report.

H. B. 1216, a bill to amend section 1443 of Volume III of Consolidated Statutes, as amended by chapter 207, Public Laws 1927 and chapter 173, Public Laws 1929, relating to terms of court for Rutherford and Yancey counties, with an unfavorable report.

H. B. 1553, a bill amending chapter 651, Public Laws 1909, relating to the municipal court of the city of Greensboro, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Hinsdale: S. B. 682, a bill to provide for a special election for mayor and commissioners of the town of Holly Springs, Wake County.

Upon motion of Senator Hinsdale, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hanes: S. B. 683, a bill to amend chapter 86 of the Public Laws of North Carolina, session of 1925, authorizing and empowering administrators, executors or collectors of a decedent's estate to renew obligations.

Placed upon the Calendar.

By Senator Bland: S. B. 684, a bill to amend H. B. 148, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Placed upon the Calendar.

By Senator Kirkpatrick: S. R. 685, a joint resolution authorizing the printing of S. B. 333, ratified May, 1933, the same being "An act to amend the Preamble and the several sections of the Constitution of North Carolina."

Placed upon the Calendar.

By Senator Noell: S. B. 686, a bill to repeal S. B. 476, ratified April 24, 1933, entitled "An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions."

Placed upon the Calendar.

By Senator Greene: S. B. 687, a bill to place certain persons on the Confederate pension roll.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:



H. B. 1587, a bill to amend the tax foreclosure act of 1933, known as H. B. 158; to amend tax sales certificates refunding act of 1933, known as S. B. 180; and to exempt from the provisions of each of said acts Mecklenburg County and the municipalities therein, and to amend delinquent taxpayers act of Mecklenburg County, known as S. B. 175.

Placed upon the Calendar.

H. B. 1588, a bill to allow the towns of Rockingham and Ellerbe to accept their respective bonds in payment of past due taxes.

Placed upon the Calendar.

H. B. 1593, a bill to authorize the auditor or accountant of Brunswick County to employ assistance when deemed necessary.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES,

TUESDAY, May 9, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the Conference Report on H. B. 881, title, "An act to repeal any and all statutes, laws and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes, and upon receipt from your body with the information that you have adopted a similar report, the bill will be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

HOUSE OF REPRESENTATIVES,

TUESDAY, May 9, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the Conference Report on H. B. 1227, title, "To appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office and limit compensation at State expense," and upon receipt from your body with the information that you have adopted a similar report, the bill will be ordered enrolled.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

HOUSE OF REPRESENTATIVES,

TUESDAY, May 9, 1933.

*Mr. President:*

It is ordered that a message be sent, informing your Honorable Body that the following substitution is made in Conferees appointed to consider and adjust the differences arising on H. B. 1232, title "A bill to be entitled, an

act to appoint justices of the peace for the several counties of North Carolina: Mr. Arndt replacing Mr. Boswell, as House Conferee.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

#### CONFERENCE REPORTS

Senator Moore for the conferees appointed to consider the differences arising upon H. B. 881, a bill to repeal any and all statutes, law and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes, submits the following report:

*To the President of the Senate and the Speaker of the House of Representatives:*

We, the undersigned, your Conferees appointed to consider and adjust the differences arising on House bill No. 881, title, "To repeal any and all statutes, laws and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes," respectfully recommend the following:

That the Senate recede from its amendment.

Respectfully submitted,

G. A. BARDEN,

J. A. GROVES,

JAS. A. TAYLOR,

*House Conferees.*

L. I. MOORE,

A. D. MACLEAN,

*Senate Conferees.*

Upon motion of Senator Moore, the Senate adopts the conference report and a message is ordered sent to the House of Representatives of such action.

Senator MacLean for the conferees appointed to consider the difference arising upon H. B. 1227, a bill to appoint certain members of the boards of education of the respective counties of North Carolina, etc., submits the following report:

*To Honorable A. H. Graham, President of the Senate, and*

*To Honorable R. L. Harris, Speaker of the House:*

The undersigned conferees, on the part of the Senate and the House of Representatives, having met in conference and fully considered the Senate amendments to H. B. 1227, have mutually agreed and respectfully report as follows:

(1) Wake County: That the Senate amendment striking out the names of C. A., or Charles, Ballentine and Dr. J. P. Hunter, or J. P. Hunter, be accepted and the House recede from its objection to said amendment.

(2) Cumberland County: That the terms of N. S. McArthur and D. W. Carter, both of whom are named in the bill, be fixed at four years each, and that the Senate recede from its amendment of six years and two years, respectively.



(3) Sampson County: That the name of S. A. Royal be added after the name of M. D. Jackson as a member of the Board of Education of Sampson County.

(4) Durham County: That Mrs. Mary L. Mason be substituted in place of J. B. Mason as a member of the Board of Education in Durham County.

(5) Swain County: That the Senate recede from its amendment striking out the names of W. T. Jenkins and Granville Calhoun, and that these names be re-inserted as members of the Board of Education of Swain County.

(6) Montgomery County: That the Senate amendment naming T. R. Baldwin in place of R. S. Andrews be accepted, and that the House recede on its objection to said amendment.

(7) Rutherford County: That the Senate amendment adding the words "for a period of six years" after the name of J. C. Hames of Rutherford County be accepted.

(8) That the Senate amendment striking out the words "first Monday in April," wherever occurring and inserting in lieu thereof "first Monday in May," be accepted.

Respectfully submitted,

A. D. MACLEAN,

JOHN W. HINSDALE,

*Conferees on the part of the Senate.*

J. S. MASSENBURG,

J. TRACY MOORE,

LAURIE McEACHERN,

*Conferees on the part of the House.*

Upon motion of Senator MacLean, the Senate adopts the conference report and a message is ordered sent to the House of Representatives informing that body of such action.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Conference report on H. B. 120, a bill to raise revenue, together with the bill for consideration and adoption upon first reading as follows:

It is recommended that the House concur in Senate amendment to section 21½, as follows: "Amend section 21½ of committee substitute for House bill 120 by adding after the word "box" in line 39, page 28, the following: Notwithstanding any of the provisions of this section any life insurance company may pay the proceeds of any policy upon the life of a decedent to the person entitled thereto as soon as it shall have mailed to the Commissioner of Revenue a notice, in such form as the Commissioner of Revenue may prescribe, setting forth the fact of such payment, but if such notice be not mailed all of the provisions of this section shall apply."

It is recommended that the House concur in Senate amendment to section 100 of schedule B of Article II of said bill, page 36, subsection (b), as follows: "Every county, city and town license issued under this article or schedule shall be for twelve months, and shall expire on the thirty-first day of May or the thirtieth day of June of each year as the governing body of such county,

city or town may determine: Provided, that where the licensee begins such business or exercises such privilege after the expiration of seven months of the current fiscal year of such municipality, then such licensee shall be required to pay one-half of the tax prescribed other than the tax prescribed to be computed upon a gross receipts and/or percentage basis."

That the Senate recede from its amendment to committee substitute for House bill 120 in the nature of a new section to be known as section 101, as follows: "Section 101. Baseball, Basketball, Football, Wrestling and Boxing Contests. Upon any and all other forms of entertainment and amusement not otherwise taxed or specifically exempted in this act, including athletic contests of all kinds, high school and elementary school contests, for which an admission is charged in excess of twenty-five (25c) cents, including football, baseball, basketball, wrestling and boxing contests, an annual license tax of \$5.00 shall be paid for each location where such charges are made, and an additional charge upon the gross receipts at the rate of tax levied in article V schedule E of this act upon retail sales of merchandise. The tax levied in this subsection shall apply to all privately-owned toll bridges, including all charges made for all vehicles, freight and passenger, and the minimum charge of twenty-five cents for admission shall not apply to bridge tolls."

That the Senate recede from its amendment to committee substitute for House bill 120 to section 105, page 43, as follows: Sec. 105. Amusements—Moving Pictures or Vaudeville Shows.

(A) Every person, firm or corporation engaged in the business of moving pictures, or vaudeville exhibitions or performances, or operating a theatre or opera house where public exhibitions or performances are given for compensation, shall apply for and obtain in advance from the Commissioner of Revenue a State License for the privilege of engaging in such business, and shall pay for such State License, for each room, hall, or tent used, the following tax per annum:

In cities or towns of less than 1,000 population.....	\$ 50.00
In cities or towns of 1,000 and less than 2,000 population.....	75.00
In cities or towns of 2,000 and less than 3,000 population.....	150.00
In cities or towns of 3,000 and less than 4,000 population.....	250.00
In cities or towns of 4,000 and less than 5,000 population.....	300.00
In cities or towns of 5,000 and less than 7,500 population.....	375.00
In cities or towns of 7,500 and less than 10,000 population.....	450.00
In cities or towns of 10,000 and less than 15,000 population.....	600.00
In cities or towns of 15,000 and less than 20,000 population.....	800.00
In cities or towns of 20,000 and less than 25,000 population.....	850.00
In cities or towns of 25,000 and less than 40,000 population.....	1,000.00
In cities or towns of 40,000 population or over.....	1,250.00

(B) In cities of 10,000 population or more, the tax upon theatres or seating capacity of less than 500 shall be.....\$500.00

(C) In cities of 25,000 population or more, the tax upon theatres of seating capacity of less than 800 shall be.....\$800.00

(D) For any moving picture show operated more than one mile from the business center of any city of 15,000 population or over (for the purpose of this provision the term "business center" being defined as the intersection of



the two principal business streets of the city), the territory in which such moving picture show is located having been annexed to such city subsequent to January 1, 1923, the license tax shall be.....\$200.00

(E) Counties shall not levy any license tax on the business taxed under this section, but cities and towns may levy a license tax not in excess of one-fourth of that levied by the State: Provided, theatres paying tax under section one hundred and two shall not be taxed under section one hundred and five."

It is recommended that the House concur in Senate amendment to section 108, page 53, as follows: "In lines 6 and 7, section 108, strike out the words 'in payment of any percentage of receipts is paid to any person' and insert, 'is paid to such local talent'."

It is recommended that the House concur in Senate amendments to section 109, as follows: "Amend committee substitute for House bill 120, section 109, by substituting the word 'suspension' for the word 'revocation' in line 59, page 55; amend further by striking out lines, 27, 28, 29 and 30 of section 109 on page 54.

"Amend committee substitute for House bill 120 by striking out the word 'shall' in section 109, subsection (b), line 58, page 55, and insert in lieu thereof the word 'may.' Amend subsection (b), section 109, by striking out in lines 58 and 59, page 55, the words 'revoking the professional license of such person,' and inserting in lieu thereof the following: 'suspending the professional license of such person until all such tax as may be due shall have been paid.'"

It is recommended that the House concur in Senate amendment to section 121, page 71, as follows: By striking out of subsection (c), page 71, line 59, the words "fresh fruits and/or vegetables" and insert the words after the word "of" in line 59 "all farm products."

It is recommended that the House concur in Senate amendment to section 121, subsection (h) as follows: By striking out of line 106, page 73 the word "that" and inserting in lieu thereof the words "the annual license."

It is recommended that the House concur in Senate amendment to section 126, subsection (d), page 82, as follows: By striking out the figures "\$10.00" in line 35, and inserting in lieu thereof the figures "\$5.00."

It is recommended that the House concur in Senate amendment to section 129, as follows: By striking out House amendment to subsection (d), page 86.

It is recommended that the House concur in Senate amendment to section 130, as follows: Amend section 130 of committee substitute for House bill 120 by striking out the House amendment on page 87.

Further amend section 130 by striking out lines 20 to 24, inclusive, page 87, and substituting in lieu thereof the following: "Any such machine except as hereinafter provided, that requires a deposit of less than five cents .....\$ 5.00  
Five cents and less than ten cents..... 10.00  
Ten cents and not more than twenty cents..... 20.00  
More than twenty cents..... 30.00

Amend section 130 of committee substitute for House bill 120 by inserting after the figures "\$10.00" in line 33, page 88, the following: "Provided further

that the tax on checker board devices operated by slot machines and requiring deposits of not more than five cents shall be \$5.00."

Amend section 130 of committee substitute for House bill 120 by striking out House amendment, page 88, and inserting in lieu thereof the following: "Amend section 130, subsection (b) in line 45, by inserting after the word "apply" the following, "to any automatic locker used as a depository for parcels, clothing, or luggage, nor"."

Amend section 130 of committee substitute for House bill 120 by substituting a comma for the period at the end of subsection (b), line 52, page 88, and adding thereto the following, "or to penny food vending machines."

It is recommended that the Senate recede from its amendment to section 130 of committee substitute for House bill 120, as follows: Amend section 130 of committee substitute for House bill 120 by striking out House amendment to subsection (f), page 89.

It is recommended that the House concur in Senate amendment to section 134 of committee substitute for House bill 120, as follows: By striking out of subsection (b), pages 96 and 97, lines 60 to 70, inclusive, and inserting in lieu thereof the following:

In cities or towns of 30,000 inhabitants or more.....	\$100.00
In cities or towns of 20,000 inhabitants and less than 30,000 inhabitants..	90.00
In cities or towns of 10,000 inhabitants and less than 20,000 inhabitants..	80.00
In cities or towns of 5,000 inhabitants and less than 10,000 inhabitants..	70.00
In cities or towns of 2,500 inhabitants and less than 5,000 inhabitants..	60.00
In rural districts and towns of less than 2,500 inhabitants.....	50.00

It is recommended that the House concur in Senate amendment to section 135, as follows: "Amend section 135 of committee substitute for House bill 120 by striking out of line 13, page 99, the words "one-half of one per cent" and inserting in lieu thereof the words "one-fourth of one per cent."

It is recommended that the House concur in Senate amendment to section 138, as follows: "Amend committee substitute for House bill 120, section 138, subsection (b), by striking out all of lines 22, 23, 24 and 25, page 102."

It is recommended that the House concur in Senate amendment to section 150, as follows: "Amend section 150 committee substitute for Budget Revenue Bill, page 116, by striking out lines 28 through 32, inclusive, and substitute in lieu thereof the following words: "Provided, however, that any laundry or other concern herein referred to where work is performed exclusively by hand or home size machines only, and where not more than four persons are employed, including the owners, the license tax shall be one-third of the amount stipulated in the foregoing schedule."

It is recommended that the House concur in the Senate amendment to section 151, as follows: "Amend Committee substitute for H. B. 120 by changing the period at the end of line 37, page 119, to a comma and adding the following: "but when the applicant intends to advertise his own business exclusively by the erection or placement of such out-door advertising signs, structures, boards, bulletins, or devices as specified in this section, he may be licensed to do so upon the payment annually of One Dollar (\$1.00) for each sign up to five hundred (500) in number and for five hundred (500) or more, the sum of Five Hundred (\$500.00) Dollars for the privilege in



lieu of all other taxation as provided in this section, except such further taxation as may be imposed upon him by cities or towns, acting under the power to levy not in excess of one-half of that specified in paragraph two or subsection (a) of this section."

It is recommended that the House concur in Senate amendment to section 151, as follows: "Amend Committee substitute for House bill 120, section 151, subsection (c), by striking out the words "and filing said written permit or copy thereof with the Commissioner of Revenue of the State," appearing in lines 52 and 53, page 120.

It is recommended that the House concur in Senate Amendment to section 152, as follows: "Amend section 152 of Committee substitute for House bill 120 by striking out the House amendment to subsection (c), page 126."

It is recommended that the House concur in Senate amendment to section 155, as follows: "Amend Committee substitute House bill 120, section 155, entitled Plumbers, Heating Contractors and Electricians. Amend section 155 in line 9, page 134, by striking out the colon after the word "tax" and by adding in lieu thereof the following: "Based on population." Amend further by striking out lines 10, 11, 12 and 13, inclusive, and adding in lieu thereof the following:

Municipalities of less than 2,000 population.....	\$10.00
Municipalities of more than 2,000 and less than 5,000 population.....	15.00
Municipalities of more than 5,000 and less than 10,000 population.....	20.00
Municipalities of more than 10,000 and less than 20,000 population.....	25.00
Municipalities of more than 20,000 and less than 30,000 population.....	30.00
Municipalities of more than 30,000 and less than 40,000 population.....	35.00
Municipalities of more than 40,000 and less than 50,000 population.....	40.00
Municipalities of more than 50,000 population.....	50.00

Amend further by striking out lines 14 to 17, inclusive, page 134.

It is recommended that the Senate recede from its amendment to section 155, as follows: "Amend section 155 further by adding after the period in line 24, page, 135, the following: 'All plumbing inspectors in cities or towns shall make a monthly report to the Commissioner of Revenue of all installation or repair permits issued for plumbing or heating.'"

It is recommended that the Senate recede from its amendment to section 155, as follows: "Amend section 155, page 134, of Committee substitute for House bill 120 by inserting after the word "employing" in lines 10, 11 and 13, the words, "an average of."

It is recommended that the House concur in the Senate amendment to section 155, as follows: "Provided that when a licensed plumber employs only one additional person the tax shall be one-half."

It is recommended that the House concur in the Senate amendment to section 155, as follows: "Amend section 155 of the Committee substitute for House bill 120 by inserting between lines 21 and 22, page 135, the following: 'All plumbing inspectors in cities or towns shall make a monthly report to the Commissioner of Revenue of all installation or repair permits issued for plumbing or heating.'"

It is recommended that the House concur in the Senate amendment to section 157, as follows: "Amend Committee substitute for House bill 120,

section 157, subsection A, by striking out the period at the end of said subsection and substituting a colon therefor, and by adding the following words after said colon: "Provided, that this tax shall not be levied in cases where the county is required to pay the cost."

It is recommended that the House concur in Senate amendments to section 203, as follows: "Amend section 203 of Committee substitute for House bill 120 by striking out the House amendment inserted as subsection (6), page 159."

"Amend Committee substitute for House bill 120, section 203, subsection 3, by striking out in line 35 thereof, page 158, the words 'five and one-half per cent' and inserting in lieu thereof the word 'six per cent'."

It is recommended that the Senate recede from its amendment to section 207, as follows: "Amend Committee substitute for House bill 120, section 207, by adding subsection E, to read as follows: 'A tax of \$3.00 per year on each public pay-station telephone shall be levied and collected by the Commissioner of Revenue'."

It is recommended that the House concur in the Senate amendment to section 208, as follows: "Amend Committee substitute for House bill 120 by adding after the word 'associations' in line 33, section 208, page 166 (printed bill), the words 'except domestic mutual burial associations'."

It is recommended that the House concur in the Senate amendment to section 211, as follows: "Amend section 211 of Committee substitute for House bill 120 by striking out the House amendment, page 174."

It is recommended that the Senate recede from its amendments to section 401, as follows: "Amend Committee substitute for House bill 120 by adding to paragraph 3 on page 227 the following: 'In order to make this purpose effective, the Commissioner of Revenue is empowered and directed to devise, promulgate and enforce regulations under which the retail merchants shall collect from the consumers, by rule uniform as to classes of business, the sales tax levied upon their business by this article: Provided, that the Commissioner of Revenue shall have the power to change the regulations and methods under which the merchants shall collect the tax from the consumers, from time to time, as experience may prove expedient and advisable, except that he may not at any time rescind the requirement that the tax be collected from the consumers by uniform rule as herein specified. The power herein invested in the Commissioner of Revenue shall include the right to provide a stamp tax plan for the consummation of the purpose of this provision. Methods for collecting the tax on sales made by the retail merchants may include plans which require both more and less than three (3%) per cent of the sale price, the purpose being to enable the merchants to collect approximately the amount of three (3%) per cent on their total sales volume which is a license tax on the merchants for the privilege of engaging in business. Such regulations as herein authorized shall be promulgated by the Commissioner of Revenue to become effective after reasonable notice to the retail merchants and when so promulgated they shall have the full force and effect of law. Any merchant who violates such rules and regulations shall be guilty of a misdemeanor and upon conviction shall be fined not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) or be imprisoned for not less than one day nor more than six



months, or be both fined and imprisoned in the discretion of the court; provided, however, that every such violation shall be a separate offense hereunder."

"Amend further by striking out the period at the end of section 401, and adding the following: "in the event the mandatory provisions for collecting the tax from the consumers, incorporated in this article shall be held to be unconstitutional."

"Amend Committee substitute for House bill 120, section 401, by inserting after the word 'is' in line 18, page 227, the following, 'levied primarily as a privilege or license tax for engaging or continuing in the business of merchandising as defined in this act, but'."

It is recommended that the House concur in the Senate amendment to section 401, as follows: "Amend section 401 of Committee substitute for House bill 120 by adding at the end of said section on page 228, the following: 'It shall be the duty of all public officials of the State, and specifically of the Commissioner of Revenue, to cooperate with the merchants of the State in formulating rules, regulations and practices to effectuate the purpose of this act as herein declared'."

It is recommended that the House concur in the Senate amendment to section 403, as follows: "Amend Committee substitute for House bill 120, section 403, subsection A, in line 24, page 229, add between 'expenses' and 'or' the following: 'Not inconsistent with the provisions and powers contained in the Executive Budget Act, chapter 100 of the Public Laws of 1929'."

It is recommended that the House concur in the Senate amendment to section 405, as follows: Amend Committee substitute for House bill 120 by striking out Senate amendments to section 405 and substituting in lieu thereof the following as an addition to section 405: "Conditional exemptions: In addition to the exemptions set out in this section there shall also be an exemption of sales by retail merchants, upon conditions hereinafter set out, of the following articles:

"Flour, meal, meat, lard, milk, molasses, salt, sugar and coffee.

"It is the intention that this exemption shall apply to these primary and essential articles of food as the words used are commonly understood.

"Flour means wheat flour and does not include cereal products other than flour.

"Meal means corn meal and not grits, flakes or other cereal products.

"Meat includes fresh or cured meats of animals or fish other than shell fish but does not include any specialized products in cans, jars, boxes or cartons for the retail trade.

"Lard is intended to include articles commonly understood by the use of this term, both from animal fat and vegetable substitutes, but does not include oleomargarine, butter, oils or other like products.

"Molasses includes the product commonly understood by that name, and does not include cane, sugar, maple or other syrups.

"Milk includes sweet and buttermilk, but does not include canned milk, evaporated milk or other milk products.

"Sugar includes plain and granulated sugar as commonly understood and no other sugar products.

"Coffee means plain, roasted or ground coffee as commonly understood, but not coffee substitutes.

"The exemption of the articles of food herein enumerated is upon condition that the retail merchants shall keep accurate and separate records of invoices and sales of the exempted articles in such form and detail as may be prescribed by the Department of Revenue, and in any event in such manner that accurate reports may be separately made covering the sale of such conditionally exempted articles, and in such form as may be accurately and conveniently checked by the representatives of the Department of Revenue.

"Unless records are kept in such manner as will accurately disclose separate accounting of sales of taxable and non-taxable merchandise the conditional exemptions herein made shall not allowed, and it is shall be the duty of the Commissioner to assess a tax upon the total gross sales, and if records are not kept showing total gross sales it shall be the duty of the Commissioner or agents to assess a tax upon an estimation of sales upon the best information obtainable.

"It is recommended that the House concur in the Senate amendment to section 406, as follows: 'Amend section 406 of Committee substitute for House bill 120 by striking out the House amendment, page 235'."

The conferees on the part of the House and of the Senate make the following additional recommendations:

That lines 17 to 20, inclusive, of section 401 of article V, page 227, be stricken out and the following substituted in lieu thereof:

"The tax upon the retail sales of merchandise to persons in this State is levied as a license or privilege tax for engaging or continuing in the business of merchandising as defined in this act, but merchants may add to the price of merchandise the amount of the tax on the sale thereof, and when so added shall constitute a part of such price, shall be a debt from purchaser to merchant until paid, and shall be recoverable at law in the same manner as other debts. It is the purpose and intent of this act that the tax levied hereunder shall be added to the sales price of merchandise and thereby be passed on to the consumer instead of being absorbed by the merchant."

That section 103 be amended by inserting a new paragraph between lines 43 and 44, page 42, as follows:

"That upon all performances taxable under this section there is levied in addition to the license tax levied in this section, a tax upon the gross receipts of such business at the rate of tax levied in article V, schedule E, of this act upon retail sales of merchandise. The license tax herein levied shall be treated as an advance payment of the tax upon gross receipts herein levied, and the license tax shall be applied as a credit upon or advance payment of the gross receipts tax. The Commissioner of Revenue may adopt such regulations as may be necessary to effectuate the provisions of this section and shall prescribe the form and character of reports to be made, and shall have such authority of supervision as may be necessary to effectuate the purposes of this act."



That section 103 be further amended by striking out of line 45, page 42, the word "that" and inserting in lieu thereof the words "the license tax." That section 105 be amended by striking out of lines 32 and 33 the words and figures "eighty per cent (80%) of" and by striking out of line 35 of the said section the words and figures "eighty per cent (80%) of."

That section 106 be amended by inserting a new paragraph between lines 121 and 122, page 50, as follows:

That upon all performances taxable under this section there is levied in addition to the license tax levied in this section, a tax upon the gross receipts of such business at the rate of tax levied in article V, schedule E, of this act upon retail sales of merchandise. The license tax herein levied shall be treated as an advance payment of the tax upon gross receipts herein levied, and the license tax shall be applied as a credit upon or advance payment of the gross receipts tax. The Commissioner of Revenue may adopt such regulations as may be necessary to effectuate the provisions of this section and shall prescribe the form and character of reports to be made, and shall have such authority of supervision as may be necessary to effectuate the purposes of this act."

That section 106 be further amended by striking out of line 124, page 50, the word "that" and inserting in lieu thereof the words "the license tax."

That section 107 be amended by inserting a new paragraph between lines 58 and 59, page 53, as follows:

"That upon all performances taxable under this section there is levied in addition to the license tax levied in this section, a tax upon the gross receipts of such business at the rate of tax levied in article V, schedule E of this act upon retail sales of merchandise.

"The license tax herein levied shall be treated as an advance payment of the tax upon gross receipts herein levied, and the license tax shall be applied as a credit upon or advance payment of the gross receipts tax. The Commissioner of Revenue may adopt such regulations as may be necessary to effectuate the provisions of this section and shall prescribe the form and character of reports to be made, and shall have such authority of supervision as may be necessary to effectuate the purposes of this act."

That subsection (c) of section 107 be amended by inserting after the word "amount" in line 61, page 53, the words "of license tax."

That section 151 be amended by striking out of subsection (c), lines 58 to 64, inclusive, the following:

"and the failure of such person, firm, or corporation to file with the Revenue Department of the State the original or a copy of the permit of the owner of said land shall authorize the Highway Department of the State or the governing authorities of cities and counties to remove said advertising matter, and a violation of this provision shall constitute a misdemeanor."

That subsection (5) of section 203 be amended by changing the period at the end thereof to a comma and adding the following: "and no city or town

shall impose a greater privilege or license tax upon such companies than that which is now imposed by any such city or town."

Respectfully submitted,

R. A. DOUGHTON,

R. G. CHERRY,

O. B. MOSS,

F. E. THOMAS,

W. C. EWING, with reservations as

I object to sales tax section and rejection of Kilowatt Hour tax section.

*Conferees on the part of the House.*

R. G. RANKIN,

CARL L. BAILEY,

JOHN W. AIKEN,

*Conferees on the part of the Senate.*

Senator Rankin moves that the report be adopted and upon this motion calls for the ayes and noes.

The call is sustained.

The report is adopted, ayes 23, noes 17, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Beatty, Bell, Blackstock, Bland, Blue, Dempsey, Grady, Griffin of Chowan, Hanes, Hartsell, Hill, Hinsdale, Kirkpatrick, Land, MacLean, McBryde, McDuffee, Moore, Noell, Rankin—23.

Those voting in the negative are: Senators Boggan, Burgin, Clement, Corey, Cross, Efird, Francis, Greene, Griffin of Franklin, Gwyn, Hairfield, Ingram, Long, McNeill of Ashe, Sparger, Walker, Waynick—17.

The following pair is announced: Senator Summersill, "aye," Senator McNeill of Cumberland, "no."

The adoption of this report is held to be the first reading of all new matter to be included in H. B. 120, a bill to raise revenue, and the same being in the nature of amendment to this bill providing for an increase in the rate of taxation levied therein, is placed together with the bill upon the second reading roll call Calendar.

S. B. 133, a bill to amend the North Carolina Workmen's Compensation Act in order that said act and the operation thereof shall be completely within the Department of Labor.

The bill fails to pass its second reading.

Senator Dempsey moves that the vote by which the bill failed to pass its second reading be reconsidered.

The motion prevails.

Upon the passage of the bill on its second reading, Senator Dempsey calls for the ayes and noes.

The call is sustained.

The bill fails to pass its second reading, ayes 6, noes 32, as follows:

Those voting in the affirmative are: Senators Barker, Corey, Cross, Dempsey, Noell, Patton—6.

Those voting in the negative are: Senators Aiken, Bagley, Beatty, Bell, Blackstock, Bland, Boggan, Burgin, Clark, Efird, Francis, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Hartsell, Hill,



Hinsdale, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, Moore, Rankin, Summersill, Walker, Waynick—32.

The following pairs are announced: Senators Ingram, "aye," McNeill of Cumberland, "no"; Blue, "aye," Dunagan, "no"; Brown, "aye," Clement, "no."

H. B. 1141, a bill to amend H. B. 158, ratified March 13, 1933, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes so as to provide an alternative method of notification."

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 748, a bill to create a State Textbook Commission and to provide for greater economy and efficiency in the adoption and use of textbooks in the schools.

Senator Bell offers a substitute.

Pending discussion, the bill remains upon the Calendar.

Upon motion of Senator Rankin, H. B. 1474, a bill supplemental to an act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, etc., is taken from the Committee on Finance and referred to the Calendar Committee.

Upon motion of Senator Land, the Senate recesses to meet tonight at 8:00 o'clock.

#### EVENING SESSION

SENATE CHAMBER,

TUESDAY, May 9, 1933.

The Senate meets pursuant to recess, and is called to order by Lieutenant-Governor A. H. Graham.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Rankin, for the Committee on Finance:

H. B. 1320, a bill regulating the collection of delinquent taxes in Sampson County, with a favorable report.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Blackstock, by request: S. B. 688, a bill to amend H. B. 1154, Public Laws of 1933, entitled "An act to provide for the reorganization of banks in North Carolina," so as to provide for the transfer of trust business in connection with the reorganization of national banks.

Placed upon the Calendar.

By Senator Hinsdale: S. B. 689, a bill to authorize the commissioners of the town of Zebulon, Wake County, to accept at face value bonds of said town in payment of taxes or paving assessments.

Placed upon the Calendar.

By Senator Bland: S. B. 690, a bill to amend an act of the General Assembly of North Carolina, session 1933, entitled "An act to authorize the governing agencies in Wayne County to acquire their own obligations," and known as Senate bill No. 475.

Placed upon the Calendar.

By Senator Beatty: S. B. 691, a bill to place certain persons on Confederate pension roll.

Placed upon the Calendar.

By Senator Beatty: S. B. 692, a bill to prohibit fishing on Sunday in certain waters in Bladen County.

Placed upon the Calendar.

By Senator Burgin: S. B. 693, a bill relating to funding and refunding bonds of counties and municipalities.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1608, a bill to amend S. B. 339, relating to the extension of time for payment of special assessments levied by the city of Salisbury, as ratified on March 16, 1933.

Placed upon the Calendar.

H. B. 1609, a bill to amend committee substitute for S. B. 451, same being "An act allowing and directing the tax collecting authorities in the city of Asheboro to accept bonds in the payment of street assessments and certain taxes," as ratified on April 13, 1933.

Placed on the Calendar.

HOUSE OF REPRESENTATIVES,

May 9, 1933.

*Mr. President:*

In accordance with request of your Honorable Body, we are returning herewith S. B. 658, title "relating to the fees of the clerk of court of Mitchell County and the salary of the sheriff, and to abolish the office of treasurer-tax collector of said county," for further consideration by your body.

Respectfully,

THAD EURE,  
*Principal Clerk.*

Upon motion of Senator Greene, the vote by which the bill passed its third reading is reconsidered and the bill is referred to the Committee on Salaries and Fees.



## ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 121, an act to amend chapter 120, Public Laws 1929, the same being known as the Workmen's Compensation Act, so as to provide that employers and employees of electric street railroads may come under the provisions thereof.

S. B. 627, an act to provide for certain special taxes in Rutherford County.

S. B. 632, an act supplemental to and amendatory of S. B. 180, it being "An act to allow the counties, municipalities, and other governing agencies, to refund tax sales certificates," and ratified March 27, 1933, this act to apply only to Alamance County and municipalities therein.

S. B. 659, an act to repeal chapter 40, Private Laws of 1874-1875, repealing the charter of the town of Morrisville, Wake County.

H. B. 879, an act to provide for the calling of a convention of the people of North Carolina for the purpose of considering the proposed amendment to the Constitution of the United States, repealing the Eighteenth Amendment.

H. B. 1329, an act to amend chapter 205 of the Private Laws of 1929, relating to the corporate limits of the city of Asheville.

H. B. 1390, an act to amend chapter 169 of the Public Laws of 1923, relating to the terms of court in Davidson County.

H. B. 1469, an act to repeal chapter 17 of the Public Laws of 1931, being "An act to amend section 1608 (F), Volume III, of the Consolidated Statutes, relating to the General County Court of Caswell County."

H. B. 1509, an act to regulate peddling in the city of Winston-Salem.

H. B. 1530, an act to regulate appeals from courts of justices of the peace in civil action in Martin County.

H. B. 1535, an act authorizing the board of commissioners of Transylvania County to accept county bonds in payment of certain notes held as additional collateral for county deposits in the now defunct Brevard Banking Company.

H. B. 1591, an act to appoint an auditor for Columbus County.

H. B. 1543, an act to regulate the sale of unginmed or seed cotton in Beaufort County.

H. B. 1547, an act for the relief of the indigent families of the city of Wilmington by the city furnishing water to such indigent families, and otherwise regulating the minimum charges charged for water furnished by the city of Wilmington.

H. B. 1548, an act to amend H. B. 889, entitled "An act to place the officers of New Hanover County upon a salary basis, and to fix the salaries of the city commissioners, including the mayor," enrolled and ratified March 22, 1933.

H. B. 1552, an act to amend chapter 527 of the Public-Local Laws of 1921, amending chapter 800, Public-Local Laws of 1913, relating to salary of court stenographer for Hoke and Bladen counties.

H. B. 1558, an act to validate the acts of J. S. McRae, a justice of the peace for the County of Robeson.

S. B. 613, an act to amend chapter 29 of the Private Laws of 1929, it being "An act to incorporate Salem Methodist Church of Stanly County, North Carolina."

S. B. 614, an act to fix the terms of office of the board of education in Mitchell County.

S. B. 631, an act relating to tax penalties in the County of Cumberland.

S. B. 647, an act to allocate Union Township, Robeson county, to the proper recorder's court and commissioners districts.

S. B. 651, an act to amend the law regulating the sale of alcoholic beverages near Guilford College.

S. B. 660, an act to appoint a cotton weigher for the town of Stanfield, in Stanly County, North Carolina.

S. B. 665, an act to prohibit the exhibition of any free medicine show or like performance in Catawba County.

H. B. 1593, an act to authorize the auditor or accountant of Brunswick County to employ assistance when deemed necessary.

S. B. 667, an act relating to the public officers of Northampton County.

S. B. 643, an act to amend the tax foreclosures act of 1933, known as H. B. 158, to exempt from its provisions Guilford County and the municipalities therein.

S. B. 630, an act to provide the regulation and taxation of peddlers in the city of Charlotte, North Carolina.

S. B. 490, an act to create a building code council for North Carolina.

S. B. 666, an act requiring the governing body and election officials of the town of Andrews, Cherokee County, to hereafter comply with the general election laws of North Carolina in calling and holding elections for the election of mayor and members of the board of aldermen.

S. B. 670, an act to define the powers and duties of the board of revaluation and review of Yancey County.

H. B. 1147, an act to amend chapter 195 of the Private Laws of 1927, relative to the corporate limits of the town of Carolina Beach.

H. B. 1368, an act to amend chapter 454 of the Public-Local Laws of 1931, relating to the duties of the clerk of the recorder's court of Cleveland County.

H. B. 1459, an act to amend S. B. 313, which is "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages," ratified March 20, 1933.

H. B. 1463, an act to fix the salary of the register of deeds of Yancey County.

H. B. 1480, an act supplemental to S. B. 525 and fixing the period for which license by counties and municipalities to sell beer shall expire.

H. B. 1511, an act to validate a municipal election to be held for the town of Pantego, Beaufort County, on Tuesday, May 9, 1933.

H. B. 1523, an act to repeal S. B. 367, ratified April 5, 1933, and S. B. 525, ratified April 28, 1933, to prohibit the sale of beer in the village of Macon, Warren County, North Carolina.

H. B. 1529, an act relating to official bonds for county or municipal officers in Haywood County.

H. B. 1517, an act to prohibit the sale of beverages within the corporate limits of Montreat, Mars Hill and the association grounds of the Baptist Assembly at Ridge Crest, in Buncombe County.

H. B. 1544, an act to amend H. B. 158, same being "an act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the



title thereon conveyed for failure to pay taxes," so as to exempt from its provisions Gaston and Davidson counties and the municipalities therein, ratified March 13, 1933.

H. B. 1585, an act to amend chapter 415, Public-Local Laws 1915, relative to the recorder's court of Leaksville Township, Rockingham County.

S. B. 654, an act to prohibit the sale of beverages within two miles of the administrative building of Campbell College, Town of Buie's Creek, Neill's Creek Township, in Harnett County.

H. B. 1555, an act to amend S. B. 180, Public Laws of 1933, relating to refund of tax sales certificates.

H. B. 968, an act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof.

H. B. 1556, an act to approve postponement of date of tax sales.

H. B. 756, an act to require the board of education of Swain County to pay Mrs. Roy Beard for services rendered in the year 1931.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. R. 302, a joint resolution requesting Congress to pass an act placing rural free delivery routes on a competitive basis.

Passes its second reading and upon objection by Senator Blackstock to its final passage, the bill remains upon the Calendar.

S. B. 574, a bill supplemental to and amendatory of S. B. 238, entitled "A bill to be entitled 'An act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil, inspection division, to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the board of agriculture, and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform duties of inspectors for such department; and to limit the number of motor vehicle inspectors,'" ratified April 15, 1933.

The amendment offered by the Committee is adopted.

Passes its second and third readings and is ordered engrossed.

H. B. 559, a bill to provide for the merger or consolidation of two or more charitable, educational, social, ancestral, historical, penal or reformatory corporations not under the patronage and control of the State.

Senator Hairfield offers an amendment which fails of adoption.

Passes its second and third readings and is ordered enrolled.

H. B. 361, a bill to amend chapter 120 of Public Laws of 1929, exempting saw mills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act, upon third reading.

Senator Dempsey moves that the bill do lie upon the table.

The motion fails to prevail.

The bill passes third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 629, a bill to make original letters authenticated by affidavit, competent in evidence in civil cases.

Upon motion of Senator Moore, the bill is laid upon the table.

S. B. 649, a bill to amend section 390 of the Consolidated Statutes so as to allow application for restoration of citizenship to be made immediately in cases where unconditional pardon has been granted by the Governor.

Senator Waynick offers an amendment.

Upon motion of Senator Aiken, action on the bill is deferred and the bill remains upon the Calendar.

H. B. 1143, a bill to fix the status of certain acreage made by intra-coastal waterway dredging operations.

Passes its second and third readings and is ordered enrolled.

H. B. 1172, a bill to legalize the probate of corporations taken prior to the first day of January, 1918.

Passes its second and third readings and is ordered enrolled.

H. B. 1185, a bill to amend the Consolidated Statutes of North Carolina, section 1443, relating to the Superior Courts of North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 774, a bill to amend the North Carolina Game Laws.

The amendment offered by the Committee is adopted.

Senator Bailey offers a namendment which is adopted.

Senator Bailey offers a second amendment which fails of adoption.

Senator Land offers an amendment which fails of adoption.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 748, a bill to create a State Textbook Commission, and to provide for greater economy and efficiency in the adoption and use of textbooks in the schools.

The substitute offered by Senator Bell is adopted.

Passes its second reading and upon objection by Senator Hill to its final passage, the bill remains upon the Calendar.

H. B. 1054, a bill to amend chapter 169, Public Laws of 1921, relating to sanitary conditions in creameries, ice cream, butter and cheese factories, upon third reading.

Passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1072, a bill to amend section 1443 of Volume III of the Consolidated Statutes as amended by chapter 123, Public Laws of 1929, providing an additional term of court for Northampton County.

Passes its second and third readings and is ordered enrolled.

H. B. 1088, a bill to amend chapter 149 of the Public Laws of 1927, which chapter is known as the capital issues law, relating to the regulation of the sale of securities within the State of North Carolina.

Upon motion of Senator Hill, the bill is rereferred to the Calendar Committee.

H. B. 905, a bill to amend chapter 120, Public Laws of 1929, the same being known as the Workmen's Compensation Act, relating to settlements in cases involving third parties and to the filing of claims.



The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1001, a bill creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by the establishment of the Great Smoky Mountains National Park.

Senator Francis offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1123, a bill to amend chapter 249, Public Laws 1931, relating to the extension of special assessments, upon third reading.

The bill passes third reading, ayes 33, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Corey, Cross, Dempsey, Efrid, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hanes, Hartsell, Hill, Hinsdale, Joyner, Land, Long, McBryde, Moore, Noell, Rankin, Summersill, Waynick—33.

The bill is ordered enrolled.

Upon motion of Senator Greene, the Senate adjourns to meet tomorrow morning at 11:00 o'clock.

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## ONE HUNDRED NINTH DAY

SENATE CHAMBER,

WEDNESDAY, May 19, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. E. C. Few, Edenton Street M. E. Church, of Raleigh, N. C.

Senator Griffin of Franklin, for the Committee on Journal, announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Ex-Senator A. C. Gay.

Upon motion of Senator Francis, H. B. 248, a bill to repeal section 2, chapter 238, Local Laws of 1929, and to authorize the commissioners of Haywood County to designate a depository for public funds in Haywood County, is taken from the Committee on Finance and placed upon the Calendar.

Upon motion of Senator Aiken, H. B. 1504, a bill to fix the open season for hunting game in Catawba County and to provide a closed season for hunting pheasant and quail in said county, is taken from the Committee on Game Laws and placed upon the Calendar.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Blackstock, for the Committee on Salaries and Fees:

H. B. 1365, a bill to fix the salary of the register of deeds of Columbus County, with a favorable report, as amended.

By Senator Griffin, for the Committee on Commercial Fisheries:

H. B. 1187, a bill to protect the citizens of North Carolina in the use and enjoyment of certain public waters in Carteret County, with a favorable report.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed, and they are ordered sent to the House of Representatives:

S. B. 574, a bill supplemental to and amendatory of Senate bill 238, entitled, "A bill to be entitled an act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said patrol to perform other and additional duties to those prescribed by the act of 1929, chapter 218, and the act of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil, inspection division, to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors for such department; and to limit the number of motor vehicle inspectors," ratified April 15, 1933, it being "An act, transferring the illuminating oil, gas and lubricating oil, inspection division, to the Department of Revenue," etc.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator MacLean: S. B. 694, a bill authorizing the board of aldermen of the city of Washington to appoint nine, instead of seven, trustees of the Washington Public School District, amending section 6, chapter 409, Public Laws 1899, in reference thereto.

Placed upon the Calendar.

By Senator Walker: S. B. 695, a bill to repeal chapter 176, of the Private Laws of 1927, relative to the operation of pool rooms in Haw River Township, Alamance County.

Upon motion of Senator Walker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Ingram: S. B. 696, a bill to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes, levied for the year 1933, and thereafter.

Upon motion of Senator Ingram, the rules are suspended and the bill is placed upon its immediate readings.



Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hinsdale: S. B. 697, a bill to amend chapter 6, Private Laws of 1841, relative to trustees of Rex Hospital in Raleigh.

Placed upon the Calendar.

By Senator Burgin: S. B. 698, a bill to amend S. B. 334, ratified the 27th day of March, 1933, the same being entitled "An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the recorder's court of Thomasville."

Placed upon the Calendar.

By Senator Beatty: S. B. 699, a bill to amend H. B. 1405, being "An act to fix the salaries and compensation of certain officers of Bladen County," ratified April 28, 1933.

Placed upon the Calendar.

By Senators Kirkpatrick and Hartsell: S. B. 700, a bill to amend chapter 86 of the Public-Local Laws of 1931, reducing the salary of the sheriff, register of deeds and clerk of the Superior Court of Mecklenburg County, and further an act to amend chapter 236, Public-Local and Private Laws of North Carolina, session 1931, relating to the compensation of the chairman of the board of county commissioners of Mecklenburg County, and further to amend chapter 504 of the Public-Local Laws of North Carolina, session 1911, reducing the salary of the auditor of Mecklenburg County.

Placed upon the Calendar.

By Senators Rankin and Clement: S. B. 701, a bill to supplement the appropriation made to the Corporation Commission and/or the Public Utility Commissioner.

Placed upon the Calendar.

By Senator Ingram: S. B. 702, a bill to exempt Randolph County from certain provisions of chapter 157, Consolidated Statutes 1931, so as to allow certain officers compensation for services rendered.

Placed upon the Calendar.

By Senator Ingram, by request: S. B. 703, a bill to prohibit the sale of beer or other alcoholic beverages within one-half mile of any church building in the village of Worthville, Randolph County.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 1443, a bill to amend the charter of the city of Hendersonville.

Placed upon the Calendar.

H. B. 1444, a bill to amend the charter of the city of Hendersonville.

Placed upon the Calendar.

H. B. 1566, a bill to reenact chapter 430 of the Public-Local Laws of 1925, and to require the clerk of the Superior Court and the register of deeds to keep their offices open during office hours, relating to Caswell County only.

Placed upon the Calendar.

H. B. 1580, a bill to prohibit the sale of beer or other alcoholic beverage in Stumpy Point voting precinct, Dare County.

Placed upon the Calendar.

H. B. 1582, a bill to amend chapter 196 of the Public Laws of 1913, and to repeal chapter 87 of the Public Laws 1931, relating to terms of court in Chowan and Beaufort counties.

Placed upon the Calendar.

H. B. 1584, a bill to amend House bill 158, ratified March 13, 1933, same being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to exempt from the provisions thereof Granville County and the municipalities therein.

Placed upon the Calendar.

H. B. 1592, a bill appointing a cotton weigher for the town of Spring Hope, in Nash County.

Placed upon the Calendar.

H. B. 1594, a bill permitting and authorizing the use of glasses at soda fountains and at public drinking places in Robeson County.

Placed upon the Calendar.

H. B. 1596, a bill supplemental to and amendatory of House bill 924, a bill to be entitled "An act to empower the county commissioners of Nash County to fix the salaries of officers of Nash County," ratified March 15, 1933.

Placed upon the Calendar.

H. B. 1597, a bill to amend chapter 273, Public Laws 1929, relating to the jurisdiction of justices of the peace to try certain criminal cases, involving worthless checks, placing the counties of Swain, Clay, Graham, Macon and Cherokee under the provisions of said act.

Placed upon the Calendar.

H. B. 1598, a bill to empower the board of commissioners of the city of Smithfield, Johnston County, to relieve churches of paving assessments.

Placed upon the Calendar.

H. B. 1599, a bill to amend Senate bill 180, now chapter 181, Public Laws 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," relating to costs in tax sales in Johnston County.

Placed upon the Calendar.

H. B. 1539, a bill to authorize the governing bodies of the city of Salisbury and the town of Spencer to cancel assessments against all churches located in said cities.

Placed upon the Calendar.

H. B. 1605, a bill to authorize the town of Sanford to accept Lee County scrip in payment of water rent, accounts and taxes.

Placed upon the Calendar.

H. B. 1606, a bill to abolish the recorder's court of Elkin, Surry County.

Placed upon the Calendar.

H. B. 1607, a bill to prohibit the setting of steel traps in Robeson County.

Placed upon the Calendar.



H. B. 1610, a bill to repeal H. B. 1526, entitled "A bill to be entitled an act to repeal H. B. 233, it being 'An act to amend chapter 55 of the Public Laws of 1931, relating to the fees of the clerk of the court of Mitchell County and the salary of the treasurer-tax collector of said county,' ratified April 7, 1933," which was ratified May 5, 1933.

Upon motion of Senator Greene, the rules are suspended and the bill is placed upon its immediate readings.

Upon motion of Senator Greene, the bill is laid upon the table.

H. B. 1611, a bill to amend H. B. 1405 of the present session of the General Assembly, relating to the salary and compensation of the sheriff of Bladen County.

Placed upon the Calendar.

H. B. 1612, a bill to amend chapter 63 of the Private Laws of 1915, relative to the charter of the town of Benson.

Placed upon the Calendar.

S. B. 657, a bill to provide for the city of Goldsboro to accept its bonds in the payment of city taxes, for concurrence in the House amendment.

Placed upon the Calendar.

H. B. 1623, a bill to repeal chapter 9, of the Private Laws of 1927, and to amend chapter 32 of the Private Laws of 1915, relating to the tax collector of the city of New Bern.

Placed upon the Calendar.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolution properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 663, an act to empower the board of commissioners of Yancey County to include the expense of building gymnasium, in the general emergency fund.

H. B. 559, an act to provide for the merger or consolidation of two or more charitable, educational, social, ancestral, historical, penal or reformatory corporations not under the patronage and control of the State.

H. B. 1072, an act to amend section 1443 of Volume III of the Consolidated Statutes as amended by chapter 123, Public Laws of 1929, providing an additional term of court for Northampton County.

H. B. 1123, an act to amend chapter 249, Public Laws of 1931, relating to the extension of special assessments.

H. B. 1143, an act to fix the status of certain acreage made by intra-coastal waterway dredging operations.

H. B. 1172, an act to legalize the probate of corporations taken prior to the first day of January, 1918.

H. B. 1185, an act to amend the Consolidated Statutes of North Carolina, section 1443, relating to the Superior Courts of North Carolina.

H. B. 1590, an act to appoint a tax collector for Columbus County.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1121, a bill to amend chapter 192 of the Private Laws of 1889, and chapter 231 of the Private Laws of North Carolina of 1893, and chapter 112 of the Private Laws of North Carolina of 1911, and chapter 323 of the Private Laws of North Carolina of 1915, and chapter 119 of the Private Laws of North Carolina of 1927, and to fix the corporate limits of the town of Windsor, in Bertie County, upon third reading.

The bill passes third reading, ayes 38, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Brown, Burgin, Clement, Corey, Cross, Dempsey, Efrid, Grady, Greene, Griffin of Chowan, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, Moore, Noell, Sparger, Walker, Waynick.—38.

The bill is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 248, a bill to repeal section 2, chapter 238, Public-Local Laws 1929, and to authorize the commissioners of Haywood County to designate a depository for public funds in Haywood County.

Passes its second and third readings and is ordered enrolled.

S. B. 684, a bill to amend H. B. 158, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 689, a bill to authorize the commissioners of the town of Zebulon, Wake County, to accept at face value bonds of said town in payment of taxes or paving assessments.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1587, a bill to amend the tax foreclosure act of 1933, known as H. B. 158, to amend tax sales certificates refunding act of 1933, known as S. B. 180, and to exempt from the provisions of each of said acts Mecklenburg County, and the municipalities therein; and to amend delinquent taxpayers act of Mecklenburg County, known as S. B. 175.

Passes its second and third readings and is ordered enrolled.

H. B. 1320, a bill regulating the collection of delinquent taxes in Sampson County.

Passes its second and third readings and is ordered enrolled.

H. B. 1355, a bill to authorize the creation of the office of tax collector for the county of Alamance.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1358, a bill for the relief of the sheriff of Surry County, and to provide for the sale of real estate for unpaid taxes of the years 1930 and 1931.

Passes its second and third readings and is ordered enrolled.



H. B. 1365, a bill to fix the salary of the register of deeds of Columbus County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1551, a bill to compel the closure of service stations, stores, soft drink stands, and other like establishments, and to prevent the conduct of the same and the sale of merchandise therefrom during certain hours on Sunday, near Oak Ridge Military Institute, in Guilford County.

Passes its second and third readings and is ordered enrolled.

H. B. 1503, a bill to validate the municipal election of Morehead City held May 2, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1504, a bill to fix the open season for hunting game in Catawba County and to provide a closed season for hunting pheasants and quail in said county.

Passes its second and third readings and is ordered enrolled.

H. B. 1494, a bill to regulate the operation of bathing beaches or resorts in sections of Beaufort County.

Passes its second and third readings and is ordered enrolled.

H. B. 1538, a bill to fix the punishment for unlawful fishing and trespass at Moore's Pond, in Franklin County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1545, a bill to repeal H. B. 1150, enrolled and ratified May 1, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1549, a bill to prohibit the sale of beer or other alcoholic beverages within one and one-half miles of the Quaker Children's Home in Moore County, applicable also to Wingate Junior College in Union County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1550, a bill to prohibit the sale of beer or other alcoholic beverage within one and one-half miles of the village of High Falls, Moore County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1553, a bill amending chapter 651, Public Laws, 1909, relating to the municipal court of the city of Greensboro.

Passes its second and third readings and is ordered enrolled.

H. B. 1554, a bill to create the Caswell County Historical Commission.

Passes its second and third readings and is ordered enrolled.

H. B. 1563, a bill to amend H. B. 1464, being "An act to amend S. B. 180, the same being a bill to be entitled an act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933, relative to Nash County.

Passes its second and third readings and is ordered enrolled.

H. B. 1567, a bill to change the hours when the polls shall open and close in all city elections to be held in the city of Durham.

Passes its second and third readings and is ordered enrolled.

H. B. 1568, a bill to amend H. B. 158, being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1570, a bill to amend chapter 296 of the Public-Local Laws of 1927, relating to the collection of taxes in Avery County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1571, a bill to abolish the office of auditor of Stokes County and to amend chapter 483, Public-Local Laws 1931, relating to clerk hire for the clerk of the Superior Court of said county.

Passes its second and third readings and is ordered enrolled.

H. B. 1573, a bill to exempt Granville County from the provisions of H. B. 660, ratified April 10, 1933, relating to application of fees in criminal cases to the payment of taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 1576, a bill to authorize and empower the board of county commissioners of Mecklenburg County to refund certain taxes erroneously paid.

Passes its second and third readings and is ordered enrolled.

H. B. 1581, a bill to amend chapter 266, Private Laws of North Carolina, session 1923, relating to the water system of town of Lenoir.

Passes its second and third readings and is ordered enrolled.

H. B. 1608, a bill to amend S. B. 339, relating to the extension of time for payment of special assessments levied by the city of Salisbury, as ratified on March 16, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1609, a bill to amend committee substitute for S. B. 451, same being "An act allowing and directing the tax collecting authorities in the city of Asheboro to accept bonds in the payment of street assessments and certain taxes," as ratified on April 24, 1933.

Passes its second and third readings and is ordered enrolled.

Report of the Conference Committee on the part of the Senate and House of Representatives in respect to the differences between the two bodies upon committee substitute for H. B. 120, entitled "An act to raise revenue," together with the bill itself, upon second reading.

Senator Boggan offers an amendment.

Senator Clement offers an amendment, and upon its adoption calls for the ayes and noes.

The call fails to prevail.

The amendment fails of adoption.

Upon the adoption of his amendment, Senator Boggan calls for the ayes and noes.

The call is sustained.

The amendment fails of adoption, ayes 8, noes 33, as follows:



Those voting in the affirmative are: Senators Boggan, Clement, Hinsdale, Ingram, Long, McNeill of Ashe, Sparger, Walker—8.

Those voting in the negative are: Senators, Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Brown, Burgin, Corey, Dempsey, Grady, Greene, Griffin of Chowan, Gwyn, Hairfield, Hanes, Hartsell, Hill, Joyner, Kirkpatrick, Land, MacLean, McBryde, McDuffee, McNeill of Cumberland, Moore, Noell, Rankin, Summersill, Waynick—33.

The following pairs are announced: Senators Cross, "aye," Patton, "no"; Senators Fuller, "aye," Dunagan, "no."

The following Senators explain their vote: Blackstock, Hairfield, Hill, Kirkpatrick.

The conference report, together with the bill, passes its second reading, ayes 27, noes 16, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Brown, Dempsey, Efrid, Grady, Griffin of Chowan, Hanes, Hartsell, Hill, Joyner, Kirkpatrick, Land, MacLean, McBryde, McDuffee, Moore, Noell, Rankin, Summersill—27.

Those voting in the negative are: Senators Boggan, Burgin, Clement, Corey, Greene, Griffin of Franklin, Gwyn, Hairfield, Hinsdale, Ingram, Long, McNeill of Ashe, McNeill of Cumberland, Sparger, Walker, Waynick—16.

The following pairs are announced: Senators Cross, "no," Patton "aye"; Senators Fuller, "no," Dunagan, "aye."

S. B. 603, a bill to establish a system of rural electrification under State control and to provide means for the establishment and maintenance of facilities for the transportation and distribution of electric power in connection therewith.

Senator Walker offers an amendment.

Upon motion of Senator Kirkpatrick, the bill with pending amendment is laid upon the table.

Senator Walker moves that H. B. 1468, a bill relating to the enforcement of the prohibition law in Caswell County, be taken from the unfavorable Calendar and placed upon the Calendar.

The motion fails to prevail.

Upon motion of Senator Hanes, H. B. 1239, a bill to amend section 4428 of the Consolidated Statutes of North Carolina, relating to lotteries, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Hanes, H. B. 926, a bill to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Land, H. B. 1303, a bill to amend section 5337 of the Consolidated Statutes in regard to appointing drainage commission for Davidson Creek Drainage District in Iredell County, is taken from the Committee on Counties, Cities and Towns and placed upon the Calendar.

Senator Clark, for the Rules Committee, submits the following report:

At a meeting of the Rules Committee on May 9, 1933, the following rules were passed:

1. That debate on any bill shall be limited to five minutes for each member of the Senate.

2. After May 11 no bill shall be offered in the Senate.

Upon motion of Senator Clark, the report is adopted.

Upon motion of Senator Clark, the Senate recesses to meet at 3:00 o'clock p.m.

#### AFTERNOON SESSION

SENATE CHAMBER

WEDNESDAY, May 10, 1933.

The Senate meets pursuant to recess and is called to order by Lieutenant-Governor A. H. Graham.

Upon motion of Senator Hartsell, H. B. 1531, a bill to provide the regulation and taxation of peddlers in the counties of Cabarrus and Davidson, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Hill, H. B. 1317, a bill to establish banking facilities for small towns in North Carolina, is taken from the unfavorable Calendar and placed upon the Calendar.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator McNeill of Cumberland: S. B. 704, a bill to amend S. B. 631, relating to tax penalties in Cumberland County, ratified May 9, 1933.

Upon motion of Senator McNeill of Cumberland, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator McNeill of Cumberland: S. B. 705, a bill amending the act creating the office of tax collector in Cumberland County.

Placed upon the Calendar.

By Senator Dempsey: S. B. 706, a bill authorizing the sheriff of Wilson County to accept county vouchers in payment of taxes.

Placed upon the Calendar.

By Senator Dempsey: S. B. 707, a bill to amend H. B. 660, same being entitled "An act to require the fees for which a county is liable under article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes," so as to exempt Wilson County from the provisions of this act.

Placed upon the Calendar.

By Senator Bell: S. B. 708, a bill supplemental to and amendatory of H. B. 945, it being "An act providing for certain special tax in Jackson County, applicable also to the counties of Alamance, Alleghany, Currituck, Graham, Jones, McDowell and Tyrrell," ratified May 1, 1933.

Placed upon the Calendar.

By Senator Bell: S. B. 709, a bill to repeal H. B. 1297, ratified May 5, 1933, entitled "An act to amend S. B. 180 of the session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said act."

Placed upon the Calendar.



By Senator Efird: S. B. 710, a bill to provide the regulation and taxation of peddlers in the County of Stanly.

Placed upon the Calendar.

By Senator Bailey: S. B. 711, a bill to district Washington County for the purpose of the nomination and election of members of the board of county commissioners.

Placed upon the Calendar.

By Senator Corey: S. B. 712, a bill exempting Pitt County from certain sections of H. B. 158, passed by the 1933 session of the General Assembly, relating to tax liens.

Placed upon the Calendar.

By Senator Corey: S. B. 713, a bill to amend H. B. 925, passed by the 1933 session of the General Assembly, relating to fees of justices of the peace in Pitt County.

Placed upon the Calendar.

By Senators Aiken and Land: S. B. 714, a bill to reduce and remit part of the tax penalties heretofore imposed by the counties of Catawba and Iredell and all municipalities in said counties.

Placed upon the Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1518, a bill to amend chapter 118 of the Consolidated Statutes of North Carolina, relating to the administration of the Public Health law so as to make further provisions for the creation and maintenance of sanitary districts, and policing the same, upon second reading.

The bill passes second reading, ayes 32, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Beatty, Bell, Boggan, Burgin, Clark, Clement, Corey, Dempsey, Efird, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Gwyn, Hairfield, Hanes, Hartsell, Hill, Joyner, Kirkpatrick, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Sparger, Summersill, Walker, Waynick—32.

H. B. 1475, a bill to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said county, applicable also to Alexander, upon second reading.

Senator Clement offers an amendment which is adopted.

Senator Griffin of Franklin offers an amendment which is adopted.

Senator Hill offers an amendment which is adopted.

Senator Sparger offers an amendment which is adopted.

Senator Efird offers an amendment which is adopted.

Senator Aiken offers an amendment which is adopted.

Senator Beatty offers an amendment which is adopted.

Senator Hairfield offers an amendment which is adopted.

Senator Joyner offers an amendment which is adopted.

Senator MacLean offers an amendment which is adopted.

The amendments adopted, being held to be material, the bill is placed upon second reading roll call Calendar for tomorrow.

H. B. 1434, a bill to amend chapter 261 of the Public Laws of 1931, giving the advisory budget commission authority to make rules and regulations governing the operation of the division of purchase and contract.

Passes its second and third readings and is ordered enrolled.

S. B. 197, a bill to repeal chapter 28, Public Laws of 1929, being "An act to amend chapter 22, section 1138 of the Consolidated Statutes of North Carolina, relating to corporations."

The substitute offered by the Committee is adopted.

Senator Clement offers an amendment which is adopted.

The bill, as amended, passes its second reading and upon objection by Senator Land to its final passage, the bill remains upon the Calendar.

S. R. 302, a joint resolution requesting Congress to pass an act placing rural free delivery routes on a competitive basis, upon third reading.

Passes its third reading and is ordered sent to the House of Representatives.

S. B. 604, a bill to repeal H. B. 158, Public Laws of 1933, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes."

Passes its second reading and upon objection of Senator Blackstock to its final passage, the bill remains upon the Calendar.

S. B. 700, a bill to amend chapter 86 of the Public-Local Laws of 1931, reducing the salary of the sheriff, register of deeds and clerk of the Superior Court of Mecklenburg County, and further an act to amend chapter 236, Public-Local and Private Laws of North Carolina, session 1931, relating to the compensation of the chairman of the board of county commissioners of Mecklenburg County, and further to amend chapter 504 of the Public-Local Laws of North Carolina, session 1911, reducing the salary of the auditor of Mecklenburg County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 636, a bill to provide for the levy of assessment on stockholders of banks operating under restrictions.

Passes its second reading and upon objection by Senator Moore to its final passage, the bill remains upon the Calendar.

S. B. 649, a bill to amend section 390 of the Consolidated Statutes so as to allow application for restoration of citizenship to be made immediately in cases where unconditional pardon has been granted by the Governor, upon third reading.

The amendment offered by Senator Waynick is withdrawn.

Passes its third reading and is ordered sent to the House of Representatives.

S. B. 687, a bill to place certain persons on the Confederate Pension Roll.

Upon motion of Senator Moore the bill is referred to the Committee on Pensions.

S. B. 683, a bill to amend chapter 86 of the Public Laws of North Carolina, session of 1925, authorizing and empowering administrators, executors or collectors of a decedent's estate to renew obligations.

Passes its second and third readings and is ordered sent to the House of Representatives.



S. B. 686, a bill to repeal S. B. 476, ratified April 24, 1933, entitled "An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions."

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 638, a bill to amend H. B. 1154, Public Laws of 1933, entitled "An act to provide for the reorganization of banks in North Carolina," so as to provide for the transfer of trust business in connection with the reorganization of National Banks.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 693, a bill to amend chapter 198, being "An act to provide licenses for the artificial propagation of fish in North Carolina," Public Laws, session 1929.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 720, a bill relating to funding and refunding bonds of counties and municipalities.

Passes its second and third readings and is ordered enrolled.

H. B. 721, a bill to prohibit the sale of black bass.

Upon motion of Senator Bagley, the bill is referred to the Committee on Calendar.

H. B. 1046, a bill to amend section 2776 (s) of the Consolidated Statutes of North Carolina, relating to zoning of certain properties.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1088, a bill to amend chapter 149 of the Public Laws of 1927, which chapter is known as the capital issues law, relating to the regulation of the sale of securities within the State of North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 1188, a bill to amend section 2591 of the Consolidated Statutes, relating to the reopening of judicial and other sales on advance bid.

Upon motion of Senator McDuffee, the bill is laid upon the table.

H. B. 1239, a bill to amend section 4428 of the Consolidated Statutes of North Carolina, relating to lotteries.

Passes its second and third readings and is ordered enrolled.

H. B. 1190, a bill to amend section 3189 of the Consolidated Statutes, so as to eliminate the necessity of kissing the Bible when taking an oath.

Upon motion of Senator Clement, the bill is laid upon the table.

H. B. 1205, a bill to amend section 1891 of the Consolidated Statutes, as amended by chapter 168, Public Laws 1925, relating to license for fyke nets and motor boats.

Passes its second and third readings and is ordered enrolled.

H. B. 1241, a bill to regulate the fees for filing and docketing transcripts of judgments in the several counties of the State.

Passes its second and third readings and is ordered enrolled.

H. B. 1251, a bill to allow counties and other units to invest in bonds of their said unit notwithstanding the fact that they have been in default in payment of principal and interest of bonded indebtedness.

Passes its second and third readings and is ordered enrolled.

H. B. 1326, a bill relating to the fees for issuing certificates of encumbrances as required for crop liens and Federal chattel mortgages.

Passes its second and third readings and is ordered enrolled.

H. B. 1397, a bill to amend section 1970 of the Consolidated Statutes of North Carolina, relating to Sunday fishing.

Passes its second and third readings and is ordered enrolled.

H. B. 1400, a bill to permit old documents to be recorded where official seal of officer has not been affixed.

Passes its second and third readings and is ordered enrolled.

H. R. 1401, a resolution petitioning the President of the United States to authorize the employment of funds and labor designated in the Reforestation Act for use on private lands for the public benefit in North Carolina.

Passes its second and third readings and is ordered enrolled.

S. B. 691, a bill to place certain persons on Confederate Pension Roll.

Upon motion of Senator Beatty, the bill is referred to the Committee on Pensions.

H. B. 1419, a bill to amend chapter 136, Public Laws 1927, known as the Bus Law.

Passes its second and third readings and is ordered enrolled.

H. B. 1478, a bill to amend chapter 110, article 6, of the Consolidated Statutes, relating to chiropractic, upon third reading.

Passes its third reading and is ordered enrolled.

H. B. 1489, a bill to clarify acts of the General Assembly of 1933, containing reference to and amendments of the North Carolina Code.

Passes its second and third readings and is ordered enrolled.

H. R. 1496, a joint resolution to provide for payment of cost of printing committee substitute for H. B. 120, a bill to be entitled "An act to raise revenue."

Passes its second and third readings and is ordered enrolled.

H. B. 1502, a bill to amend Senate bill 525, relating to application for license to sell beer.

Passes its second and third readings and is ordered enrolled.

H. R. 1513, a joint resolution appointing S. M. Gattis and Archibald Henderson, members of the Durham-Orange Historical Society.

Passes its second and third readings and is ordered enrolled.

H. B. 1557, a bill to encourage the celebration of the three hundred and fiftieth anniversary of the founding of an English settlement on Roanoke Island.

Passes its second and third readings and is ordered enrolled.

H. B. 1577, a bill to give the county commissioners the right to postpone the sale of land for delinquent 1932 taxes.

Passes its second and third readings and is ordered enrolled.

S. R. 685, a joint resolution authorizing the printing of S. B. 333, ratified May, 1933, the same being "An act to amend the Preamble and the several sections of the Constitution of North Carolina."

Passes its second and third readings and is ordered sent to the House of Representatives.



H. B. 1309, a bill for the protection of buyers and sellers of leaf tobacco. Senator McDuffee offers an amendment which is adopted.

The bill, as amended, passes its second reading and upon objection of Senator Clark to its final passage, the bill remains upon the Calendar.

Upon motion of Senator Hill, S. B. 653, a bill to amend section 218 (c) of Volume III of the Consolidated Statutes as amended by chapter 113, Public Laws of 1927, relating to unclaimed deposits in closed banks, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator McNeill of Cumberland, H. B. 1545, a bill to repeal H. B. 1150, enrolled and ratified May 1, 1933, is ordered recalled from the Enrolling Office.

Upon motion of Senator McNeill of Cumberland, the vote by which the bill passed its third reading is reconsidered and the bill is laid upon the table.

The President, pursuant to H. B. 1004, a bill to appoint delegates to the second Interstate Legislative Assembly, appoints Senator Rankin as a member of the second Interstate Legislative Assembly.

Upon motion of Senator Griffin of Franklin, the Senate adjourns to meet tomorrow morning at 11:00 o'clock, in honor of Stonewall Jackson, who died seventy years ago today.

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## ONE HUNDRED TENTH DAY

SENATE CHAMBER,  
THURSDAY, May 11, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Dr. W. McC. White, First Presbyterian Church of Raleigh, N. C.

Senator Patton, for the Committee on Journal, announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Judge H. Hoyle Sink and Ex-Senator T. O. Rodwell.

Upon motion of Senator Bailey, H. B. 732, a bill to authorize and direct the State Highway Commission as soon as practical to prepare conditions and make possible the turnpike road connecting the settlements in Washington and Beaufort counties, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Blackstock, S. B. 542, a bill to transfer the office of superintendent of weights and measures to the department to be known as the office of Utilities Commissioner and to otherwise amend chapter 261, Public Laws 1927, is taken from the Committee on Finance and placed upon the Calendar.

## REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Bland, for the Committee on Pensions:

S. B. 401, a bill to pension all Confederate soldiers, with an unfavorable report.

S. B. 521, a bill to amend section 5168 (j) of Volume III of the Consolidated Statutes as amended by chapter 300, Public Laws 1929, relating to pensions for widows of Confederate veterans, with an unfavorable report.

H. B. 994, a bill to amend section 5168 (d), Volume III of Consolidated Statutes, relative to county boards of pensions, with a favorable report.

H. B. 1341, a bill to place the names of certain Confederate soldiers and widows of Confederate soldiers on the pension list, with a favorable report as amended.

By Senator MacLean, for the Committee on Education:

H. B. 1214, a bill to increase the number of the members of the board of education in Caldwell County, with an unfavorable report.

By Senator Rankin, for the Committee on Finance:

H. B. 1428, a bill to authorize the commissioners of Johnston County to retire sinking fund loans with county bonds, with a favorable report as amended.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Clement and Rankin: S. B. 715, a bill to amend H. B. 125, being the appropriation bill for the State's departments, bureaus, institutions and agencies, and for other purposes, etc.

Upon motion of Senator Clement, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senators Rankin and Bailey: S. B. 716, a bill to amend the revenue act with relation to absorption of the tax on motion pictures.

Upon motion of Senator Rankin, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Dempsey: S. B. 717, a bill relating to the charter of the town of Elm City.

Placed upon the Calendar.

By Senator Bell: S. B. 718, a bill to amend chapter 149, Public Laws 1927, which is "An act governing the sales of stocks, bonds and other securities in the State of North Carolina," to bring the act up to date and to strengthen its provisions.

Placed upon the Calendar.

By Senator Bailey: S. B. 719, a bill relative to drainage assessments.

Placed upon the Calendar.

By Senator McNeill of Cumberland: S. B. 720, a bill to postpone and defer the sale of land for delinquent taxes for the year 1932 in Cumberland County.

Placed upon the Calendar.



By Senator McNeill of Cumberland: S. B. 721, a bill to validate certain tax sales in Cumberland County and the city of Fayetteville.

Placed upon the Calendar.

By Senator Greene: S. B. 722, a bill for the relief of Reid Berry, former sheriff and tax collector of Mitchell County.

Placed upon the Calendar.

By Senator Aiken: S. B. 723, a bill to amend H. B. 1232, being "An act to appoint justices of peace in the several counties in North Carolina."

Placed upon the Calendar.

By Senator Bell: S. B. 724, a bill providing for the mayor of the city of Hendersonville to serve as juvenile judge of the said city.

Placed upon the Calendar.

By Senator Grady: S. B. 725, a bill to authorize the commissioners of the town of Selma to appoint a cotton weigher for said town and to fix the compensation of said cotton weigher.

Placed upon the Calendar.

By Senator Grady: S. B. 726, a bill to authorize the commissioners of Johnston County in their discretion to establish, erect and maintain an institution for the care of female prisoners.

Placed upon the Calendar.

By Senator Hairfield: S. B. 727, a bill to amend S. B. 665, being entitled "An act to prohibit the exhibition of any free medicine shows or like performances in Catawba County."

Placed upon the Calendar.

By Senator Ingram: S. B. 728, a bill to provide for the nomination of municipal officers for the town of Asheboro by primaries.

Placed upon the Calendar.

By Senator McBryde: S. B. 729, a bill to postpone and defer the sale of land for delinquent taxes for the year 1932, in Hoke County.

Placed upon the Calendar.

By Senator Clement: S. B. 730, a bill to repeal H. B. 1560, entitled "A joint resolution making the chickadee the official bird of the State."

Placed upon the Calendar.

By Senator Corey: S. B. 731, a bill to exempt drainage districts in Pitt County from operation of certain sections of S. B. 180, passed by the 1933 session of the General Assembly, relating to tax liens.

Placed upon the Calendar.

By Senator Dempsey: S. B. 732, a bill relating to the public road system of Wilson County.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 472, a bill to prohibit seining and trapping fish in Smith River, Rockingham County.

Placed upon the Calendar.

H. B. 836, a bill to authorize the State Superintendent of Public Instruction to pay from the tax reduction fund the balance due certain school teachers in Wilkes County on salaries for the year 1931-1932.

Placed upon the Calendar.

H. B. 1284, a bill to amend section 25 of chapter 120 of the Public Laws of 1929, relating to choice of personal physician.

Referred to Committee on Insurance.

H. B. 1575, a bill to authorize the board of commissioners of Jackson County to retire their bonded indebtedness.

Placed upon the Calendar.

H. B. 1586, a bill validating notes of the city of Thomasville and the city of Lexington.

Placed upon the Calendar.

H. B. 1615, a bill to validate certain procedure in regard to street assessments in the town of Littleton.

Placed upon the Calendar.

H. B. 1617, a bill to amend S. B. 180, being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

Placed upon the Calendar.

H. B. 1619, a bill supplemental and amendatory of S. B. 135, it being "An act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933.

Placed upon the Calendar.

H. B. 1620, a bill to repeal the Absentee Ballot Law for Montgomery County, North Carolina.

Placed upon the Calendar.

H. B. 1621, a bill to prohibit the setting of steel traps in Scotland County.

Placed upon the Calendar.

H. B. 1624, a bill to amend chapter 427, Public-Local Laws 1927, relating to salary of the sheriff of Guilford County.

Placed upon the Calendar.

H. B. 1625, a bill to relieve the sheriff of Cumberland County.

Placed upon the Calendar.

H. B. 1626, a bill to authorize the board of commissioners of Craven County to transfer to the general fund certain assets.

Placed upon the Calendar.

H. B. 1627, a bill to authorize the town of Maxton to accept its obligations in payment of taxes and assessments.

Placed upon the Calendar.

H. B. 1628, a bill to amend H. B. 158 and S. B. 180, to exempt Dare County and the municipalities therein from the provisions of said acts.

Placed upon the Calendar.

H. B. 1629, a bill regulating the salary of the deputy sheriff of Columbus County.

Placed upon the Calendar.



H. B. 1631, a bill to prohibit the beverages mentioned in the Beverage Control Act of 1933, from being sold within one mile of Pelham M. E. Church, South, in Caswell County.

Placed upon the Calendar.

H. B. 1632, a bill to allow the commissioners of the town of East Flat Rock in Henderson County to accept bonds in payment of certain taxes.

Placed upon the Calendar.

H. B. 1616, a bill to amend H. B. 158, being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Placed upon the Calendar.

H. B. 1315, a bill to amend the North Carolina Game Laws relating to hunting preserves.

Placed upon the Calendar.

H. B. 1562, a bill to amend H. B. 158, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Placed upon the Calendar.

H. B. 1589, a bill to amend an act ratified January 27, 1933, entitled "An act to expedite the trial of criminal cases and to dispense with jury trial therein."

Placed upon the Calendar.

H. B. 1645, a bill to amend the machinery and revenue acts enacted at this session of the General Assembly.

Upon motion of Senator Rankin, the rules are suspended and the bill is passed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1633, a bill amending chapter 210 of the Public-Local Laws of the year 1889, relative to the charter of the town of Cary, Wake County, North Carolina.

Placed upon the Calendar.

S. B. 589, a bill to allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties to come under the provisions of H. B. 1321 of the 1933 session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations, for concurrence in the House amendments.

Placed upon the Calendar.

#### HOUSE OF REPRESENTATIVES.

*Mr. President:*

May 11, 1933.

It is ordered that a message be sent informing your Honorable Body that the House has adopted the report of the conferees on H. B. 1232, title "to appoint justices of the peace for the several counties of North Carolina," and awaits information from your Body of the adoption of a similar report in order that the bill may be ordered enrolled.

Respectfully,

THAD EURE,  
*Principal Clerk.*

## ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 405, an act to amend chapter 64, Public Laws of 1931, to withdraw Edgecombe County from the operating provision of said act.

S. B. 406, an act to amend chapter 126, Public Laws 1931, to withdraw Edgecombe County from the operating provision of said act.

S. B. 638, an act validating certain tax sales in Mitchell County.

S. B. 681, an act to amend H. B. 1066, ratified April 11, 1933, entitled "An act to allow fishing in the Tennessee River and certain tributaries in Macon County."

S. B. 682, an act to provide for a special election of mayor and commissioners of the town of Holly Springs, Wake County.

S. B. 656, an act to exempt the town of Bakersville, Mitchell County, from the provisions of S. B. 367, relating to the sale of beer, spiritus frumenti, or other intoxicants.

S. B. 678, an act to prohibit the sale of beer and light wines in the village of Elon College in Alamance County, North Carolina.

H. B. 248, an act to repeal section 2, chapter 238, Public-Local Laws 1929, and to authorize the commissioners of Haywood County to designate a depository for public funds in Haywood County.

H. B. 881, an act to repeal any and all statutes, laws and clauses of laws imposing civil or criminal liability upon the members of the governing bodies of local units for failure to vote for or levy certain taxes.

H. B. 1001, an act creating a commission to consider the relief of Haywood and Swain counties by reason of their losses by the establishment of the Great Smoky Mountains National Park.

H. B. 1141, an act to amend H. B. 158, ratified March 13, 1933, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes, so as to provide an alternative method of notification."

H. B. 1227, an act to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office, and limit compensation at State expense.

H. B. 1320, an act regulating the collection of delinquent taxes in Sampson County.

H. B. 1353, an act to abolish the office of the treasurer of McDowell County, North Carolina, and to regulate the fees and salaries of officers in said county.

H. B. 1410, an act to prohibit the commissioners of the county of Macon from levying any special tax to pay township bonds, except in the townships where said bonds are voted and issued.

H. B. 1494, an act to regulate the operation of bathing beaches or resorts in sections of Beaufort County.

H. B. 1503, an act to validate the municipal election of Morehead City held May 2, 1933.

H. B. 1504, an act to fix the open season for hunting game in Catawba County and to provide a closed season for hunting pheasants and quail in said county.



H. B. 774, an act to amend the North Carolina Game Laws.

H. B. 1551, an act to compel the closure of service stations, stores, soft drink stands, and other like establishments, and to prevent the conduct of the same and the sale of merchandise therefrom during certain hours on Sunday, near Oak Ridge Military Institute, in Guilford County.

H. B. 1553, an act amending chapter 651, Public Laws 1909, relating to the municipal court of the city of Greensboro.

H. B. 1554, an act to create the Caswell County Historical Commission.

H. B. 1563, an act to amend H. B. 1464, being "An act to amend S. B. 180, the same being a bill to be entitled an act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified on the 27th day of March, 1933, relative to Nash County.

H. B. 1564, an act to amend S. B. 180, Public Laws of 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified the 27th day of March, 1933.

H. B. 1567, an act to change the hours when the polls shall open and close in all city elections to be held in the city of Durham.

H. B. 1568, an act to amend H. B. 158, being "an act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

H. B. 1571, an act to abolish the office of auditor of Stokes County and to amend chapter 483, Public-Local Laws, 1931, relating to clerk hire for the clerk of the Superior Court of said county.

H. B. 1573, an act to exempt Granville County from the provisions of H. B. 660, ratified April 10, 1933, relating to application of fees in criminal cases to the payment of taxes.

H. B. 1576, an act to authorize and empower the board of county commissioners of Mecklenburg County to refund certain taxes erroneously paid.

H. B. 1581, an act to amend chapter 266, Private Laws of North Carolina, session of 1923, relating to the water system of town of Lenoir.

H. B. 1587, an act to amend the tax foreclosure act of 1933, known as H. B. 158; to amend tax sales certificates refunding act of 1933, known as S. B. 180; and to exempt from the provisions of each of said acts Mecklenburg County and the municipalities therein; and to amend delinquent taxpayers act of Mecklenburg County, known as S. B. 175.

H. B. 1608, an act to amend S. B. 339, relating to the extension of time for payment of special assessments levied by the city of Salisbury, as ratified on March 16, 1933.

H. B. 1609, an act to amend committee substitute for S. B. 451, same being "An act allowing and directing the tax collecting authorities in the city of Asheboro to accept bonds in the payment of street assessments and certain taxes," as ratified on April 24, 1933.

H. B. 1358, an act for the relief of the sheriff of Surry County, and to provide for the sale of real estate for unpaid taxes of the years 1930 and 1931.

S. B. 592, an act to amend chapter 143, Public Laws of 1931, allowing hunting and killing of foxes at any time in Henderson County.

S. B. 642, an act to release church property in the town of East Flat Rock, Henderson County, from the payment of street and sidewalk paving and sewerage assessments.

S. B. 671, an act to amend H. B. 1059, which is entitled, "An act providing for the working of prisoners on the streets of the town of Maiden, in Catawba County, North Carolina, applicable also to the town of Conover."

S. B. 672, an act to authorize the issuance of scrip by the city of Statesville.

S. B. 673, an act to authorize the issuance of scrip by the city of Statesville.

S. B. 677, an act to amend S. B. 313, relating to the fees for registering Federal crop liens and Federal chattel mortgages, which was ratified March 20, 1933, by exempting Stokes County from the operation of said act.

S. B. 674, an act supplemental to and amendatory of S. B. 593, it being "An act to amend the charter of the town of Morganton providing for the payment of taxes in partial or installment payments," ratified May 1, 1933.

H. B. 720, an act to amend chapter 198, being "An act to provide licenses for the artificial propagation of fish in North Carolina," Public Laws, session 1929.

H. B. 1054, an act to amend chapter 169, Public Laws of 1921, relating to sanitary conditions in creameries, ice cream, butter and cheese factories.

H. B. 1088, an act to amend chapter 149 of the Public Laws of 1927, which chapter is known as the capital issues law, relating to the regulation of the sale of securities within the State of North Carolina.

H. B. 1205, an act to amend section 1891 of the Consolidated Statutes as amended by chapter 1685, Public Laws 1925, relating to licenses for fyke nets and motor boats.

H. B. 1239, an act to amend section 4428 of the Consolidated Statutes of North Carolina, relating to lotteries.

H. B. 1241, an act to regulate the fees for filing and docketing transcripts of judgments in the several counties of the State.

H. B. 1251, an act to allow counties and other units to invest in bonds of their said unit notwithstanding the fact that they have been in default in payment of principal and interest of bonded indebtedness.

H. B. 1326, an act relating to the fees for issuing certificates of encumbrances as required for crop liens and Federal chattel mortgages.

H. B. 1397, an act to amend section 1970 of the Consolidated Statutes of North Carolina, relating to Sunday fishing.

H. B. 1400, an act to permit old documents to be recorded where official seal of officer has not been affixed.

H. B. 1419, an act to amend chapter 136, Public Laws 1927, known as the bus law.

H. B. 1434, an act to amend chapter 261 of the Public Laws of 1931, giving the advisory budget commission authority to make rules and regulations governing the operation of the division of purchase and contract.

H. B. 1478, an act to amend chapter 110, article 6 of the Consolidated Statutes, relating to chiropractic.

H. B. 1486, an act to allow the commissioners of the town of Ayden to accept municipal bonds in payment of certain taxes and street assessments.

H. B. 1489, an act to clarify acts of the General Assembly of 1933, containing references to and amendment of the North Carolina Code.



H. B. 1502, an act to amend S. B. 525, relating to application for license to sell beer.

H. B. 1577, an act to give the county commissioners the right to postpone the sale of land for delinquent 1932 taxes.

H. R. 1401, a joint resolution petitioning the President of the United States to authorize the employment of funds and labor designated in the reforestation act for use on private lands for the public benefit in North Carolina.

H. R. 1496, a joint resolution to provide for payment of cost of printing committee substitute for H. B. 120, a bill to be entitled "An act to raise revenue."

H. R. 1513, a joint resolution appointing S. M. Gattis and Archibald Henderson, members of the Durham-Orange Historical Society.

H. R. 1557, a joint resolution to encourage the celebration of the three hundred and fiftieth anniversary of the founding of an English settlement on Roanoke Island.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Conference report on H. B. 120, it being a bill to raise revenue, together with the bill, upon third reading.

The conference report together with the bill passes its third reading, ayes 26, noes 11, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Clark, Dempsey, Eford, Grady, Hanes, Hartsell, Joyner, Kirkpatrick, Land, MacLean, McBryde, McDuffee, Moore, Noell, Patton, Rankin, Summersill—26.

Those voting in the negative are: Senators Boggan, Clement, Corey, Greene, Hairfield, Hinsdale, Ingram, Long, McNeill of Ashe, McNeill of Cumberland, Waynick—11.

The following pairs are announced: Senators Francis, "aye," Cross, "no"; Dunagan, "aye," Fuller, "no"; Hill, "aye," Walker, "no."

The bill is ordered enrolled.

H. B. 1444, a bill to amend the charter of the city of Hendersonville, upon second reading.

The bill passes second reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Bland, Blue, Boggan, Burgin, Clark, Clement, Cross, Fuller, Grady, Greene, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Summersill, Waynick—37.

H. B. 1531, a bill to provide the regulation and taxation of peddlers in the counties of Cabarrus and Davidson, upon second reading.

The bill passes second reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Bland, Blue, Boggan, Burgin, Clark, Clement, Cross, Fuller, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe,

McNeill of Cumberland, Moore, Noell, Patton, Rankin, Summersill, Waynick—37.

H. B. 1518, a bill to amend chapter 118 of the Consolidated Statutes of North Carolina, relating to the administration of the public health law so as to make further provisions for the creation and maintenance of sanitary districts, and policing the same, upon third reading.

The bill passes third reading, ayes 37, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Bland, Blue, Boggan, Burgin, Clark, Clement, Cross, Fuller, Grady, Greene, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Summersill, Waynick—37.

The bill is ordered enrolled.

S. B. 690, a bill to amend an act of the General Assembly of North Carolina, session 1933, entitled "An act to authorize the governing agencies in Wayne County to acquire their own obligations," and known as S. B. 475.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 694, a bill authorizing the board of aldermen of the city of Washington to appoint nine, instead of seven, trustees of the Washington Public School District, amending section 6, chapter 409, Public Laws 1899, in reference thereto.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 698, a bill to amend S. B. 334, ratified the 27th day of March, 1933, the same being entitled "An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the recorder's court of Thomasville."

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 699, a bill to amend H. B. 1405, being "An act to fix the salaries and compensation of certain officers of Bladen County," ratified April 28, 1933.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 702, a bill to exempt Randolph County from certain provisions of chapter 157, Consolidated Statutes 1931, so as to allow certain officers compensation for services rendered.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 703, a bill to prohibit the sale of beer or other alcoholic beverages within one-half mile of any church building in the village of Worthville, Randolph County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 705, a bill amending the act creating the office of tax collector in Cumberland County.

Passes its second and third readings and is ordered sent to the House of Representatives.



S. B. 706, a bill authorizing the sheriff of Wilson County to accept county vouchers in payment of taxes.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 709, a bill to repeal H. B. 1297, ratified May 5, 1933, entitled, "An act to amend S. B. 180 of the session of the General Assembly of 1933, so as to exclude Jackson County from the mandatory provisions of said act."

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 711, a bill to district Washington County for the purpose of the nomination and election of members of the board of county commissioners.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 712, a bill exempting Pitt County from certain sections of H. B. 150, passed by the 1933 session of the General Assembly, relating to tax liens.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 714, a bill to reduce and remit part of the tax penalties heretofore imposed by the counties of Catawba and Iredell and all municipalities in said counties.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1178, a bill to protect the citizens of North Carolina in the use and enjoyment of certain public waters in Carteret County.

Passes its second and third readings and is ordered enrolled.

H. B. 1274, a bill to amend chapter 86 of the Public-Local Laws of 1931, being "An act to place the officers of Mecklenburg County on salaries."

Passes its second and third readings and is ordered enrolled.

H. B. 1303, a bill to amend section 5337 of the Consolidated Statutes in regard to appointing drainage commissioners for Davidson Creek Drainage District in Iredell County.

Senator Land offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1539, a bill to authorize the governing bodies of the city of Salisbury and the town of Spencer to cancel assessments against all churches located in said cities.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1546, a bill to repeal H. B. 1146, entitled "An act to amend chapter 426 of the Public Laws of 1919, as amended, relative to the meter adjuster of the county of New Hanover," enrolled and ratified April 5, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1566, a bill to reenact chapter 430 of the Public-Local Laws of 1925, and to require the clerk of the Superior Court, and the register of deeds to keep their offices open during office hours, relating to Caswell County.

Passes its second and third readings and is ordered enrolled.

H. B. 1572, a bill to authorize the board of commissioners of the town of Morehead City, after notice and public hearing, to relieve church properties of special assessments.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1580, a bill to prohibit the sale of beer or other alcoholic beverage in Stumpy Point Voting Precinct, Dare County.

Passes its second and third readings and is ordered enrolled.

H. B. 1582, a bill to amend chapter 196 of the Public Laws 1913, and to repeal chapter 87 of the Public Laws 1931, relating to terms of court in Chowan and Beaufort counties.

Passes its second and third readings and is ordered enrolled.

H. B. 1592, a bill appointing a cotton weigher for the town of Spring Hope in Nash County.

Passes its second and third readings and is ordered enrolled.

H. B. 1594, a bill permitting and authorizing the use of glasses at soda fountains and at public drinking places in Robeson County.

Passes its second and third readings and is ordered enrolled.

H. B. 1596, a bill supplemental to and amending H. B. 924, a bill to be entitled "An act to empower the county commissioners of Nash County to fix the salaries of officers of Nash County," ratified March 15, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1597, a bill to amend chapter 273, Public Laws 1929, relating to the jurisdiction of justices of the peace to try certain criminal cases involving worthless checks, placing the counties of Swain, Clay, Graham, Macon and Cherokee under the provisions of said act.

Passes its second and third readings and is ordered enrolled.

H. B. 1598, a bill to empower the board of commissioners of the city of Smithfield, Johnston County, to relieve churches of paving assessments.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1599, a bill to amend S. B. 180, now chapter 181, Public Laws 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," relating to costs in tax sales in Johnston County.

Passes its second and third readings and is ordered enrolled.

H. B. 1605, a bill to authorize the town of Sanford to accept Lee County scrip in payment of water rent, accounts and taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 1612, a bill to amend chapter 63 of the Private Laws of 1915, relating to the charter of the town of Benson.

Passes its second and third readings and is ordered enrolled.

H. B. 1606, a bill to abolish the recorder's court of Elkin, Surry County.

Passes its second and third readings and is ordered enrolled.



H. B. 1611, a bill to amend H. B. 1405, of the present session of the General Assembly, relating to the salary and compensation of the sheriff of Bladen County.

Passes its second and third readings and is ordered enrolled.

H. B. 1584, a bill to amend H. B. 158, ratified March 13, 1933, same being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to exempt from the provisions thereof Granville County and the municipalities therein.

Passes its second and third readings and is ordered enrolled.

H. B. 1389, a bill to authorize the board of county commissioners of Swain County to purchase the building known as the Citizens Bank Building in the town of Bryson City.

Passes its second and third readings and is ordered enrolled.

S. B. 707, a bill to amend H. B. 660, same being entitled "An act to require the fees for which a county is liable under article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes," ratified April 10, 1933, so as to exempt Wilson County from the provisions of said act.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1607, a bill to prohibit the setting of steel traps in Robeson County.

Passes its second and third readings and is ordered enrolled.

S. B. 657, a bill to provide for the city of Goldsboro to accept its bonds in the payment of city taxes, for concurrence in the House amendment.

Upon motion of Senator Bland, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 562, a bill to submit a proposed amendment to section 3 of article 5 of the Constitution of North Carolina, raising the rate of tax on incomes, upon second reading.

The bill fails to pass second reading, ayes 22, noes 22, as follows.

Those voting in the affirmative are: Senators Bailey, Blackstock, Bland, Boggan, Burgin, Corey, Cross, Efird, Fuller, Grady, Greene, Griffin of Franklin, Hairfield, Ingram, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Sparger—22.

Those voting in the negative are: Senators Aiken, Bagley, Barker, Beatty, Bell, Blue, Clark, Clement, Griffin of Chowan, Gwyn, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, McDuffee, Rankin, Summersill, Waynick—22.

H. B. 1475, a bill to release and remit tax penalties heretofore imposed by the county of Rowan and all municipalities in said county, applicable also to Alexander, Ashe, Avery, Beaufort, Bertie, Bladen, Buncombe, Camden, Carteret, Caswell, Catawba, Chatham, Cherokee, Chowan, Clay, Columbus, Craven, Cumberland, Currituck, Davie, Duplin, Durham, Franklin, Gates, Greene, Harnett, Haywood, Hertford, Hoke, Jackson, Johnston, Jones, Lee, Lenoir, Lincoln, Macon, Madison, McDowell, Moore, New Hanover, Onslow, Pamlico, Pasquotank, Perquimans, Person, Pitt, Robeson, Scotland, Stanly, Stokes, Surry, Swain, Transylvania, Tyrrell, Vance, Wake, Warren, Wayne, Wilkes, Yadkin, Yancey counties, upon second reading.

The bill passes second reading, ayes 34, noes 3, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Clark, Clement, Cross, Efrid, Fuller, Grady, Greene, Griffin of Chowan, Hairfield, Hartsell, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Noell, Patton, Sparger, Summersill—34.

Those voting in the negative are: Senators Griffin of Franklin, Gwyn, Hill—3.

S. B. 604, a bill to repeal H. B. 158, Public Laws of 1933, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," upon third reading.

Upon motion of Senator Blackstock, the bill is referred to the Calendar Committee.

S. B. 636, a bill to provide for the levy of assessment on stockholders of banks operating under restrictions, upon third reading.

Passes its third reading and is ordered sent to the House of Representatives.

S. B. 701, a bill to supplement the appropriation made to the Corporation Commission and/or the Public Utility Commissioner.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 748, a bill to create a State Textbook Commission, and to provide for greater economy and efficiency in the adoption and use of textbooks in the schools, upon third reading.

Passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate substitute.

H. B. 926, a bill to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.

Senator Kirkpatrick moves that the bill do lie upon the table.

The motion fails to prevail.

Senator Land offers an amendment which is adopted.

Senator Ingram offers an amendment which is adopted.

The bill, as amended, passes its second reading.

Senator Cross objects to the final passage.

Senator Hartsell moves that the rules be suspended and the bill placed upon its final passage.

The motion prevails.

Senator Ingram offers an amendment which fails of adoption.

The bill passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 710, a bill to provide the regulation and taxation of peddlers in the county of Stanly.

Passes its second and third readings and is ordered sent to the House of Representatives.



S. B. 197, a bill to repeal chapter 28, Public Laws of 1929, being "An act to amend chapter 22 section 1138, of the Consolidated Statutes of North Carolina, relating to corporations," upon third reading.

Senator Land offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered engrossed.

H. B. 1309, a bill for the protection of buyers and sellers of leaf tobacco, upon third reading.

Passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1317, a bill to establish banking facilities for small towns in North Carolina.

The amendment offered by Senator Hill is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1474, a bill supplemental to "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Rankin, S. B. 650, a bill to amend section 162 of the Consolidated Statutes concerning the chain store tax covering departments in a department store, is taken from the Committee on Finance and referred to the Committee on Calendar.

Upon motion of Senator Bagley, H. B. 699, a bill to amend chapter 431 of Public-Local Laws of 1927, reducing the shooting license for residents of North Carolina in Currituck County as to migratory fowls from five dollars to one dollar, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Kirkpatrick, the Senate recesses to meet tonight at 8:00 o'clock.

#### EVENING SESSION

SENATE CHAMBER,

THURSDAY, May 11, 1933.

The Senate meets pursuant to recess and is called to order by Lieutenant-Governor A. H. Graham.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Hinsdale, for the Committee on Judiciary No. 1:

H. B. 1289, a bill to prohibit the manufacture or sale of beer or wine in Frenches Creek Township, Bladen County, with a favorable report.

S. B. 370, a bill to amend the Code of Civil Procedure, Consolidated Statutes, sections 476, 480, 482, 485 and 487, relating to the issuance, return and publication of process, with a favorable report.

S. B. 487, a bill to amend article 20 of chapter 27, Consolidated Statutes of North Carolina, relating to municipal county courts so as to provide for the conferring of the jurisdiction of the municipal and/or mayor's courts upon general county courts or county recorder's courts where both are now established, with an unfavorable report.

S. B. 544, a bill to amend S. B. 180, Public Laws 1933, ratified on the 27th day of March, 1933, being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," with a favorable report, as amended.

H. B. 546, a bill by which the service of notice of summons by publication can be permanently proven by records, with an unfavorable report.

H. B. 1291, a bill to consolidate under the motor vehicle bureau in the Department of Revenue all activities of the State, relating to the registration and licensing of motor vehicles, the inspection of gasoline and other petroleum products, the collection of gasoline taxes and the enforcement of the motor vehicle laws, with a favorable report, as amended.

H. B. 1542, a bill to provide additional safeguards in the creation, establishment and reorganization of drainage districts in Hyde County, with a favorable report, as amended.

By Senator Fuller, for the Committee on Game Laws:

H. B. 807, a bill regulating hunting licenses in Hyde County, with an unfavorable report.

H. B. 1491, a bill to prohibit the setting of steel traps in Perquimans County for a period of two years, with an unfavorable report.

H. B. 397, a bill regulating the open season for game and providing for certain license fees in the county of Ashe, with a favorable report as amended.

By Senator Hanes, for the Committee on Insurance:

H. B. 1284, a bill to amend section 25 of chapter 120 of the Public Laws of 1929, relating to choice of personal physician, with a favorable report, as amended.

By Senator McNeill of Cumberland, for the Committee on Justices of the Peace:

S. B. 145, a bill to appoint justices of the peace for Pitt County, with a favorable report.

H. B. 867, a bill to validate the official acts of W. A. Brame, a justice of the peace for Marks Creek Township, Wake County, North Carolina, from April 1, 1931, until April 21, 1933, with a favorable report.

By Senator Burgin, for the Committee on Conservation and Development:

S. B. 436, a bill to promote improved forestry methods and preserve certain forest lands, with a favorable report, as amended.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senators Hinsdale, Blackstock and Waynick: S. B. 733, a bill to provide for regulations so as to prohibit unfair trade practices in the administration of the general retail sales tax law.

Placed upon the Calendar.



By Senator Hinsdale: S. B. 734, a bill regulating the sale of inferior automobile tires.

Placed upon the Calendar.

By Senator Waynick: S. B. 735, a bill to create a police and firemen's relief fund for persons engaged in departmental service in the city of High Point.

Placed upon the Calendar.

By Senator Gwyn: S. B. 736, a bill to repeal chapter 151, Private Laws of 1927 and to amend chapter 136, Public Laws of 1917, so as to prescribe the time for the city council of the city of Reidsville to be inducted into office and to make the municipal year and fiscal year concurrent.

Placed upon the Calendar.

By Senator Blackstock: S. B. 737, a bill to transfer the division of weights and measures to the Department of Revenue, and for other purposes.

Placed upon the Calendar.

By Senator Blackstock, by request: S. B. 738, a bill to authorize the board of county commissioners of Buncombe County to make rules and regulations so as to avoid double taxation.

Placed upon the Calendar.

By Senator Sparger: S. B. 739, a bill to amend the tax foreclosure act of 1933, known as H. B. 158, by providing that the act shall not be mandatory in Stokes County and the municipalities therein.

Placed upon the Calendar.

By Senator Patton: S. B. 740, a bill to amend S. B. 681, ratified May 11, 1933, amending H. B. 1066, ratified April 11, 1933, relating to license for fishing in certain waters in Macon and Cherokee counties.

Placed upon the Calendar.

By Senator Greene, by request: S. B. 741, a bill fixing additional terms of the Superior Courts in the counties of Mitchell and Avery, in the Seventeenth Judicial District.

Placed upon the Calendar.

By Senator Hinsdale: S. B. 742, a bill regulating the payment of taxes of political subdivisions of the State in bonds of such subdivisions.

Placed upon the Calendar.

By Senator McNeill of Cumberland: S. B. 743, a bill giving the county commissioners of Cumberland County the authority to fix the salaries of the officers and employees of said county.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1424, a bill to provide for certification of fertilizer laboratories.

Placed upon the Calendar.

H. B. 1458, a bill relating to a moratorium on foreclosures of mortgages and deeds of trust.

Placed upon the Calendar.

H. B. 1481, a bill supplemental to and amendatory of S. B. 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933.

Placed upon the Calendar.

H. B. 1614, a bill to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Duplin County.

Placed upon the Calendar.

H. B. 1618, a bill to prohibit the sale of beer within the town of Pine Bluff, North Carolina.

Placed upon the Calendar.

H. B. 1622, a bill to fix the time to levy taxes for the town of Murphy.

Placed upon the Calendar.

H. B. 1638, a bill to protect hunting and fishing, and timber reservations in Yancey County.

Placed upon the Calendar

H. B. 1640, a bill to provide for the payment of certain parts of the costs in settlement by delinquent taxpayers in Columbus County under S. B. 180, chapter 181, Public Laws, 1933.

Placed upon the Calendar.

H. B. 1641, a bill to provide for six months service of grand juries in Columbus County.

Placed upon the Calendar.

H. B. 1646, a bill to amend chapter 281, Public Laws of 1931 to provide for the approval of investments by the local government commission instead of the sinking fund commission.

Placed upon the Calendar.

H. B. 1647, a bill to validate the election of May 2, 1933, for the town of Newport, Carteret County, and to provide bond for the town treasurer.

Placed upon the Calendar.

H. B. 1648, a bill authorizing the board of county commissioners of Washington County to place the sheriff on a salary.

Placed upon the Calendar.

H. B. 1643, a bill to amend chapter 31 of the Private Laws 1915, relating to the number of commissioners of the town of Pink Hill, Lenoir County.

Placed upon the Calendar.

H. B. 1651, a bill relating to terms of Superior Court of Yancey County.

Placed upon the Calendar.

H. B. 1652, a bill to extend the provisions of section 3536, section 3539 of the Consolidated Statutes of North Carolina to motor busses operated by common carriers for hire.

Placed upon the Calendar.

H. B. 1665, a bill to reestablish the office of farm demonstration agent for New Hanover County.

Placed upon the Calendar.

H. B. 1304, a bill regulating and providing for election of trustees of "The University of North Carolina," and to amend section 5789 of the Consolidated



Statutes of North Carolina, 1919, and all acts amendatory thereof and especially chapter 202, Public Laws, 1931.

Placed upon the Calendar.

H. B. 1649, a bill to amend H. B. 158, ratified March 13, 1933, and known as "the tax foreclosure act of 1933," as the same relates to Columbus County.

Placed upon the Calendar.

S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole State, for a term of eight months, without the levy of any ad valorem tax therefor, for concurrence in the House amendments.

Upon motion of Senator MacLean, the Senate fails to concur in the House amendments and asks for a conference thereon.

The President appoints as conferees on the part of the Senate, Senators MacLean, Clement and Griffin of Chowan, and a message is ordered sent to the House of Representatives, informing that Body of such action.

S. B. 582, a bill to permit the deposit of moneys of the State, county, city, town or political subdivision of the State, in certain qualified banks, without the deposit by such banks of depository bonds or security, for concurrence in the House amendment.

Upon motion of Senator Hanes, the Senate concurs in the House amendment and the bill is ordered enrolled.

HOUSE OF REPRESENTATIVES,

*Mr. President:*

May 11, 1933.

It is ordered that a message be sent your Honorable Body with the information that the House has failed to concur in Senate amendment to House bill No. 1046, title, "to amend section 2776 (s) of the Consolidated Statutes of North Carolina, relating to zoning of certain properties." The Speaker has named as conferees on the part of the House to act with like appointees of your body to consider and adjust the differences arising, Messrs. Murphy, Douglass and Neal.

Respectfully,

THAD EURE,

*Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators Hinsdale and Hanes and a message is ordered sent to the House of Representatives, informing that Body of such action.

CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1443, a bill to amend the charter of the city of Hendersonville, upon second reading.

The amendment offered by the Committee, held immaterial, is adopted.

The bill, as amended, passes second reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clark, Clement, Cross, Dempsey, Eflord, Fuller, Griffin of Chowan, Griffin of Franklin, Gwyn,

Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin, Sparger, Waynick—39.

S. B. 717, a bill relating to the charter of the town of Elm City.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 720, a bill to postpone and defer the sale of land for delinquent taxes for the year 1932, in Cumberland County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 721, a bill to validate certain tax sales in Cumberland County and the city of Fayetteville.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 723, a bill to amend H. B. 1232, being "An act to appoint justices of peace in the several counties in North Carolina."

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 724, a bill providing for the mayor of the city of Hendersonville to serve as juvenile judge of the said city.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 725, a bill to authorize the commissioners of the town of Selma to appoint a cotton weigher for said town and to fix the compensation of said cotton weigher.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 726, a bill to authorize the commissioners of Johnston County, in their discretion, to establish, erect and maintain an institution for the care of female prisoners.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 727, a bill to amend S. B. 665, being entitled "An act to prohibit the exhibition of any free medicine shows or like performances in Catawba County."

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 729, a bill to postpone and defer the sale of land for delinquent taxes for the year 1932, in Hoke County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 731, a bill to exempt drainage districts in Pitt County from operation of certain sections of S. B. 180, passed by the 1933 session of the General Assembly, relating to tax liens.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 732, a bill relating to the public road system of Wilson County.

Passes its second and third readings and is ordered sent to the House of Representatives.



H. B. 472, a bill to prohibit seining and trapping fish in Smith River, Rockingham County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 699, a bill to amend chapter 431 of Public-Local Laws of 1927, reducing the shooting license for residents of North Carolina in Currituck County as to migratory fowls, from five dollars to one dollar.

Passes its second and third readings and is ordered enrolled.

H. B. 994, a bill to amend section 5168 (d), Volume III of the Consolidated Statutes, relative to county boards of pensions.

Passes its second and third readings and is ordered enrolled.

H. B. 1341, a bill to place the names of certain Confederate soldiers and widows of Confederate soldiers on the pension roll.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1428, a bill to authorize the commissioners of Johnston County to retire sinking fund loans with county bonds.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1562, a bill to amend H. B. 158, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1615, a bill to validate certain procedure in regard to street assessments in the town of Littleton.

Passes its second and third readings and is ordered enrolled.

H. B. 1616, a bill to amend H. B. 158, being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1626, a bill to authorize the board of commissioners of Craven County to transfer to the general fund certain assets.

Passes its second and third readings and is ordered enrolled.

H. B. 1628, a bill to amend H. B. 158, and S. B. 180, to exempt Dare County and the municipalities therein from the provisions of said acts.

Passes its second and third readings and is ordered enrolled.

H. B. 1631, a bill to prohibit the beverages mentioned in "Beverage Control Act" of 1933 from being sold within one mile of Pelham M. E. Church, South, in Caswell County.

Passes its second and third readings and is ordered enrolled.

H. B. 1632, a bill to allow the commissioners of the town of East Flat Rock of Henderson County to accept bonds in payment of certain taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 1633, a bill amending chapter 210 of the Public-Local Laws of the year 1889, relative to the charter of the town of Cary, Wake County, North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 1629, a bill regulating the salary of the deputy sheriff of Columbus County.

Passes its second and third readings and is ordered enrolled.

S. B. 697, a bill to amend chapter 6, Private Laws of 1841, relative to trustees of Rex Hospital in Raleigh.

Upon motion of Senator Hinsdale, the bill is laid upon the table.

H. B. 1617, a bill to amend S. B. 180, being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1619, a bill supplemental to and amendatory of S. B. 135, it being "An act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1621, a bill to prohibit the setting of steel traps in Scotland County.

Passes its second and third readings and is ordered enrolled.

H. B. 1624, a bill to amend chapter 427, Public-Local Laws 1927, relating to salary of the sheriff of Guilford County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 626, a bill to authorize the State Highway Commission to designate certain roads as light traffic roads.

Senator Gwyn offers an amendment which is adopted.

Senator Efrid offers an amendment which fails of adoption.

Senator Ingram moves that the bill with amendments lie upon the table. The motion fails to prevail.

Senator Dempsey moves that the bill go over on the Calendar.

The motion fails to prevail.

The bill, as amended, passes its second reading.

Senator Dempsey objects to its final passage.

Senator Hartsell moves that the rules be suspended and the bill be placed upon its third reading.

The motion fails to prevail and the bill remains upon the Calendar.

S. B. 589, a bill to allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties to come under the provisions of H. B. 1321 of the 1933 session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations, for concurrence in the House amendments.

Senator Moore moves that the Senate concur in the House amendment.

The motion fails to prevail and upon motion of Senator Waynick, a conference committee is appointed.

The President appoints as conferees on the part of the Senate, Senators Waynick and Moore and a message is ordered sent to the House of Representatives, informing that body of such action.



S. B. 719, a bill relative to drainage assessments.

Senator Kirkpatrick offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

S. B. 604, a bill to repeal H. B. 158, Public Laws of 1933, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes."

The substitute offered by the Calendar Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 732, a bill to authorize and direct the State Highway Commission, as soon as practical, to prepare, condition and make passable the turnpike road, connecting the settlements in Washington County and Beaufort County.

Passes its second reading.

Senator Burgin offers an amendment.

Senator Ingram offers an amendment.

Senator Bailey moves that the bill with pending amendments lie upon the table.

The motion fails to prevail.

The amendment offered by Senator Ingram fails of adoption.

The amendment offered by Senator Burgin fails of adoption.

Passes its third reading and is ordered enrolled.

H. B. 1589, a bill to amend an act ratified January 27, 1933, entitled "An act to expedite the trial of criminal cases and to dispense with jury trial therein."

Passes its second and third readings and is ordered enrolled.

S. B. 730, a bill to repeal H. B. 1560, entitled "A joint resolution making the chickadee the official bird of the State."

Passes its second and third readings and is ordered sent to the House of Representatives.

#### CONFERENCE REPORT

Senator McNeill of Cumberland, for the conferees appointed to consider the differences arising upon H. B. 1232, a bill to appoint justices of the peace for the several counties of North Carolina, submits the following report:

*To the President of the Senate and the Speaker of the House of Representatives:*

We, the undersigned, your conferees appointed to consider and adjust the differences arising between the two Houses on H. B. No. 1232, title "A bill to be entitled 'An act to appoint justices of the peace for the several counties of North Carolina,'" make the following report and recommendations:

That the House concur in each of the Senate amendments.

Respectfully submitted,

JOSEPH W. NOELL,

DAVID H. FULLER,

*Conferees on the part of the Senate.*

J. C. MOYE,

H. L. ARNDT,

W. A. THOMPSON, of Beaufort,

*Conferees on the part of the House.*

Upon motion of Senator McNeill of Cumberland, the Senate adopts the conference report and a message is ordered sent to the House of Representatives, informing that Body of such action.

Upon motion of Senator Fuller, H. B. 807, a bill regulating hunting license in Hyde County, is taken from the unfavorable Calendar and referred to the Calendar Committee.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES,

May 11, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that pursuant to message of nonconcurrence in House amendments to Senate bill No. 156, title "To promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of an ad valorem tax therefor," the Speaker has appointed as conferees on the part of the House: Messrs. Graham, Beasley, James, Smith and Aycock of Wake, to act with like appointees of your Body, to the end that the differences arising may be adjusted.

Respectfully,

THAD EURE,

*Clerk of the House.*

Upon motion of Senator McNeill of Ashe, the Senate adjourns to meet tomorrow at 12:00 o'clock m.

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ONE HUNDRED ELEVENTH DAY

SENATE CHAMBER,

FRIDAY, May 12, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Rev. J. C. Moye, Member House of Representatives, Greene County.

Senator Patton, for the Committee on Journal, announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

ENGROSSED BILLS

Seator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives.

S. B. 719, a bill relative to drainage assessments.



S. B. 197, a bill to repeal chapter 28, Public Laws of 1929, being "An act to amend chapter 22, section 1138, of the Consolidated Statutes of North Carolina, relating to corporations."

S. B. 701, a bill to supplement the appropriation made to the Corporation Commission and/or the Public Utility Commission.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time and disposed of as follows:

By Senator Hill: S. B. 744, a bill to authorize the city of Durham to accept certain bonds in payment of taxes, special assessments and other dues.

Placed upon the Calendar.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 868, a bill to provide a close season for four years for hunting quail or partridge in Yadkin County.

Placed upon the Calendar.

H. B. 1318, a bill authorizing a special tax levy for the expense of revaluing property in Sampson County.

Placed upon the Calendar.

H. B. 1663, a bill supplemental to "An act relating to the fees for registering Federal crop liens and Federal chattel mortgages, being S. B. 313, ratified March 20, 1933, as amended, applying to Caswell and Person counties."

Upon motion of Senator Noell, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1665, a bill authorizing the board of commissioners of Columbus County to accept settlement for past due indebtedness.

Placed upon the Calendar.

H. B. 1668, a bill to regulate the distribution of public funds and collect license fees in certain counties in North Carolina.

Placed upon the Calendar.

H. B. 1669, a bill to appoint S. M. Boyette, D. P. Spell and N. H. Barber, justices of the peace in Johnston County.

Placed upon the Calendar.

H. B. 1670, a bill to authorize the board of commissioners of Lee County and the municipalities therein to accept certain bonds in the payment of taxes.

Placed upon the Calendar.

H. B. 1671, a bill to allow compensation to the board of aldermen of the city of Southport, North Carolina, for regular meetings.

Placed upon the Calendar.

H. B. 1672, a bill to repeal chapter 160 of the Public-Local Laws of 1931, same being "An act to reduce the fee allowed for seizure of illicit stills in Yadkin County from \$20.00 to \$10.00."

Placed upon the Calendar.

H. B. 1673, a bill to amend S. B. 313, relating to the fees for registering Federal crop liens and Federal chattel mortgages, which was ratified March 20, 1933, by exempting Surry County from the operation of said act.

Placed upon the Calendar.

H. B. 1675, a bill creating an Agricultural and Breeders' Association for the county of Pasquotank on approval by the voters of said county.

Placed upon the Calendar.

H. B. 1666, a bill to amend H. B. 1274, it being "An act to amend chapter 86, Public-Local Laws of 1931, being 'An act to place officers of Mecklenburg County on salaries.'"

Placed upon the Calendar.

S. B. 698, a bill to amend S. B. 334, ratified the 27th day of March, 1933, the same being entitled "An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the recorder's court of Thomasville," for concurrence in the House substitute.

Upon motion of Senator Burgin, the rules are suspended and the bill is placed upon its immediate readings.

The substitute offered by the House is adopted.

Passes its second and third readings and is ordered enrolled.

H. B. 1420, a bill to regulate and provide for the inspection, grading and testing of milk and to provide standards for the same.

Placed upon the Calendar.

H. B. 1595, a bill authorizing postponement of sales for certain delinquent taxes and special assessments.

Placed upon the Calendar.

H. B. 1601, a bill to amend chapter 113, Public Laws 1927, relating to distribution of the assets of insolvent banks.

Placed upon the Calendar.

H. B. 1500, a bill to amend chapter 260 of the Public Laws of North Carolina, session 1931, and chapter 204 of the Public Laws of North Carolina, session of 1929, relating to tax sales.

Placed upon the Calendar.

H. R. 1565, a joint resolution to authorize the State Highway Commission to vest in the United States Government title to bridge and its abutments on route ninety-one across Wilkersons Creek in Hyde County.

Placed upon the Calendar.

H. B. 1578, a bill to amend an act ratified on the 5th day of May, 1933, the same being entitled "An act to amend chapter 122 of the Public Laws of 1927 and amendatory act thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses," and being Committee substitute for H. B. 446.

Placed upon the Calendar.

H. B. 1637, a bill authorizing the county commissioners of Columbus County to convey to a trustee all real property bought by said county under tax foreclosure proceedings.

Placed upon the Calendar.

H. B. 1650, a bill to amend the charter of the town of Wrightsville Beach.

Placed upon the Calendar.



H. B. 1636, a bill to provide for the appointment of justices of the peace for High Point Township in Guilford County and to limit the number thereof and to fix the terms of the incumbents of said offices in High Point Township.

Placed upon the Calendar.

H. B. 1657, a bill supplemental to and amendatory of H. B. 120, entitled "An act to raise revenue," passed and ordered enrolled May 11, 1933.

Placed upon the Calendar.

H. B. 1658, a bill to authorize the town of Wendell to accept its own bonds in payment of taxes and street assessments and to purchase its own bonds.

Placed upon the Calendar.

H. B. 1659, a bill relating to tax collector and auditor of Columbus County.

Placed upon the Calendar.

H. B. 1664, a bill to amend chapter 121, Private Laws of 1931, in order to clarify the election laws of the city of Asheville.

Upon motion of Senator Blackstock, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

S. B. 444, a bill to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian race of Robeson County, for concurrence in the House substitute.

Placed upon the Calendar.

H. B. 1603, a bill relating to and providing for settlement between counties and the State in certain cases where counties are in default on account of loans made out of the literary fund and/or the special building funds.

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House of Representatives has adopted the report of the conferees on H. B. 782, title "Reducing the salaries of certain officers in Wake County," and awaits information from your Body of the adoption of a similar report to the end that the House of Representatives may order the bill enrolled.

Respectfully,

THAD EURE,  
*Clerk of the House.*

HOUSE OF REPRESENTATIVES,

May 12, 1933.

*Mr. President:*

Pursuant to message from your Honorable Body of non-concurrence in House amendments to S. B. 589, title "to allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties, to come under the provisions of H. B. 1321 of the 1933 session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations," the Speaker appoints as conferees on the part of the House of Representatives to confer with like appointees of the Senate, to

the end that the differences arising may be adjusted, Messrs. Etheridge, Sullivan and Eagles.

Respectfully,

THAD EURE,  
*Clerk of the House.*

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 582, an act to permit the deposit of moneys of the State, county, city, town or political subdivision of the State, in certain qualified banks, without the deposit by such banks of depository bonds or security.

S. B. 684, an act to amend H. B. 158, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

S. B. 689, an act to authorize the commissioners of the town of Zebulon, Wake County, to accept at face value bonds of said town in payment of taxes or paving assessments.

S. B. 695, an act to repeal chapter 176, of the Private Laws of 1927, relative to the operation of pool rooms in Haw River Township, Alamance County.

S. B. 696, an act to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes, levied for the year 1933, and thereafter.

H. B. 1633, an act amending chapter 210 of the Public-Local Laws of the year 1889 relative to the charter of the town of Cary, Wake County, North Carolina.

H. B. 699, an act to amend chapter 431 of the Public-Local Laws of 1927, reducing the shooting license for residents of North Carolina in Currituck County as to migratory fowls, from five dollars to one dollar.

H. B. 732, an act to authorize and direct the State Highway Commission, as soon as practical, to prepare, condition and make passable the Turn Pike Road connecting the settlements in Washington County and Beaufort County.

H. B. 748, an act to amend the Textbook Commission Law of North Carolina and to provide for greater economy and efficiency for the adoption and use of textbooks in the schools of North Carolina.

H. B. 994, an act to amend section 5168 (d), Volume III, of the Consolidated Statutes, relative to county boards of pensions.

H. B. 1121, an act to amend chapter 192 of the Private Laws of 1889, and chapter 231 of the Private Laws of North Carolina of 1893, and chapter 112 of the Private Laws of North Carolina of 1911, and chapter 323 of the Private Laws of North Carolina of 1915, and chapter 119 of the Private Laws of North Carolina of 1927, and to fix the corporate limits of the town of Windsor, in Bertie County.

H. B. 1303, an act to amend section 5337 of the Consolidated Statutes in regard to appointing drainage commissioners for Davidson Creek drainage district in Iredell County.

H. B. 1309, an act for the protection of buyers and sellers of leaf tobacco.



H. B. 1562, an act to amend H. B. 158, same being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

H. B. 1589, an act to amend an act ratified January 27, 1933, entitled, "An act to expedite the trial of criminal cases and to dispense with jury trial therein."

H. B. 1615, an act to validate certain procedure in regard to street assessments in the town of Littleton.

H. B. 1616, an act to amend H. B. 158, being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," ratified March 13, 1933.

H. B. 1617, an act to amend S. B. 180, being "An act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates," ratified March 27, 1933.

H. B. 1619, an act supplemental to and amendatory of S. B. 135, it being "An act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933.

H. B. 1621, an act to prohibit the setting of steel traps in Scotland County.

H. B. 1631, an act to prohibit the beverages mentioned in the "Beverage Control Act" of 1933 from being sold within one mile of Pelham M. E. Church, South, in Caswell County.

H. B. 1626, an act to authorize the board of commissioners of Craven County to transfer to the general fund certain assets.

H. B. 1629, an act regulating the salary of the deputy sheriff of Columbus County.

H. B. 1632, an act to allow the commissioners of the town of East Flat Rock in Henderson County to accept bonds in payment of certain taxes.

S. B. 594, an act to clarify and/or amend the appropriations act of 1933, H. B. 125, and to authorize certain transfers and allotments under certain appropriations under chapter 429 of the Public Laws of 1931.

S. B. 657, an act to provide for the city of Goldsboro to accept its bonds in payment of city taxes.

S. B. 662, an act relating to funding and refunding bonds of Guilford County.

S. B. 715, an act to amend H. B. 125, being the appropriation bill for State's departments, bureaus, institutions, and agencies, and for other purposes, etc.

H. B. 361, an act to amend chapter 120 of Public Laws of 1929 exempting sawmills and logging operators with less than fifteen employees from the provisions of the Workmen's Compensation Act.

H. B. 905, an act to amend chapter 120, Public Laws of 1929, the same being known as "The Workmen's Compensation Act," relating to settlements in cases involving third parties and to the filing of claims.

H. B. 1187, an act to protect the citizens of North Carolina in the use and enjoyment of certain public waters in Carteret County.

H. B. 1274, an act to amend chapter 86 of the Public-Local Laws of 1931, being an act to place the officers of Mecklenburg County on salaries.

H. B. 1317, an act to establish banking facilities for small towns in North Carolina.

H. B. 1355, an act to authorize the creation of the office of tax collector for the county of Alamance.

H. B. 1365, an act to fix the salary of the register of deeds of Columbus County.

H. B. 1389, an act to authorize the board of county commissioners of Swain County to purchase the building known as the Citizens Bank Building in the town of Bryson City.

H. B. 1474, an act supplemental to an act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes, ratified March 13, 1933.

H. B. 1518, an act to amend chapter 118 of the Consolidated Statutes of North Carolina, relating to the administration of the public health law so as to make further provisions for the creation and maintenance of sanitary districts, and policing the same.

H. B. 1538, an act to fix the punishment for unlawful fishing and trespass at Moore's pond in Franklin County.

H. B. 1539, an act to authorize the governing bodies of the city of Salisbury and the town of Spencer to cancel assessments against all churches located in said cities.

H. B. 1546, an act to repeal H. B. 1146, entitled an act to amend chapter 426 of the Public Laws of 1919, as amended, relative to the meter adjuster of the county of New Hanover, enrolled and ratified April 5, 1933.

H. B. 1549, an act to prohibit the sale of beer or other alcoholic beverage within one and one-half miles of the Quaker Children's Home in Moore County, applicable also to Wingate Junior College in Union County.

H. B. 1566, an act to reenact chapter 430 of the Public-Local Laws of 1925 and to require the clerk of the Superior Court and the register of deeds to keep their offices open during office hours, relating to Caswell County.

H. B. 1570, an act to amend chapter 296 of the Public-Local Laws of 1927, relating to the collection of taxes in Avery County.

H. B. 1580, an act to prohibit the sale of beer or other alcoholic beverage in Stumpy Point voting precinct, Dare County.

H. B. 1582, an act to amend chapter 196 of the Public Laws of 1913 and to repeal chapter 87 of the Public Laws of 1913, relating to terms of court in Chowan and Beaufort counties.

H. B. 1584, an act to amend H. B. 158, ratified March 13, 1933, same being "An act setting up and establishing methods, processes and proceedings by which a lien may be acquired upon real and personal property, and the same sold and the title thereon conveyed for failure to pay taxes," so as to exempt from the provisions thereof Granville County and municipalities therein.

H. B. 1592, an act appointing a cotton weigher for the town of Spring Hope in Nash County.

H. B. 1594, an act permitting and authorizing the use of glasses at soda fountains and at public drinking places in Robeson County.



H. B. 1596, an act supplemental to and amending H. B. 924, a bill to be entitled, "An act to empower the county commissioners of Nash County to fix the salaries of officers of Nash County," ratified March 15, 1933.

H. B. 1597, an act to amend chapter 273, Public Laws 1929, relating to the jurisdiction of justices of the peace to try certain criminal cases involving worthless checks, placing the counties of Swain, Clay, Graham, Macon, Cherokee, Greene and Scotland under the provisions of said act.

H. B. 1598, an act to empower the board of commissioners of the city of Smithfield, Johnston County, to relieve churches of paying assessments.

H. B. 1599, an act to amend S. B. 180, now chapter 181, Public Laws 1933, entitled "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates," relating to costs in tax sales in Johnston County.

H. B. 1605, an act to authorize the town of Sanford to accept Lee County scrip in payment of water rent, accounts and taxes.

H. B. 1606, an act to abolish the recorder's court of Elkin, Surry County.

H. B. 1607, an act to prohibit the setting of steel traps in Robeson County.

H. B. 1611, an act to amend H. B. 1405, entitled "An act to fix the salaries and compensation of certain officers of Bladen County," ratified April 28, 1933.

H. B. 1612, an act to amend chapter 63 of the Private Laws of 1915, relating to the charter of the town of Benson.

H. B. 1628, an act to amend H. B. 158 and H. B. 180, to exempt Dare County and the municipalities therein from the provisions of said acts.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1443, a bill to amend the charter of the city of Hendersonville, upon third reading.

The bill passes third reading, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Cross, Dempsey, Efird, Grady, Greene, Griffin of Franklin, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin—31.

The bill is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1444, a bill to amend the charter of the city of Hendersonville, upon third reading.

The bill passes third reading, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Cross, Dempsey, Efird, Grady, Greene, Griffin of Franklin, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin—31.

The bill is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1531, a bill to provide the regulation and taxation of peddlers in the counties of Cabarrus and Davidson, upon third reading.

The bill passes third reading, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Cross, Dempsey, Efrd, Grady, Greene, Griffin of Franklin, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin—31.

The bill is ordered enrolled.

H. B. 1575, a bill to authorize the board of commissioners of Jackson to retire their bonded indebtedness, upon second reading.

The amendment offered by the Committee, held immaterial, is adopted.

The bill passes second reading, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Cross, Dempsey, Efrd, Grady, Greene, Griffin of Franklin, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin—31.

H. B. 1586, a bill validating notes of the city of Thomasville and the city of Lexington, upon second reading.

The bill passes second reading, ayes 31, noes 0, as follows:

Those voting in the affirmative are: Senators Bagley, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Cross, Dempsey, Efrd, Grady, Greene, Griffin of Franklin, Hairfield, Hanes, Hill, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Rankin—31.

S. B. 145, a bill to appoint justices of the peace for Pitt County.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 735, a bill to create a police and firemen's relief fund for persons engaged in departmental service in the city of High Point.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 736, a bill to repeal, chapter 151, Private Laws of 1927 and to amend chapter 136, Public Laws of 1917, so as to prescribe the time for the city council of the city of Reidsville to be inducted into office and to make the municipal year and fiscal year concurrent.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 739, a bill to amend the tax foreclosure act of 1933, known as H. B. 158, by providing that the act shall not be mandatory in Stokes County and the municipalities therein.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 740, a bill to amend S. B. 681, ratified May 11, 1933, amending H. B. 1066, ratified April 11, 1933, relating to license for fishing in certain waters in Macon and Cherokee Counties.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 743, a bill giving the county commissioners of Cumberland County the authority to fix the salaries of the officers and employees of said county.



Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 397, a bill regulating the open season for game and providing for certain license fees in the county of Ashe.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 807, a bill regulating hunting license in Hyde County.

Passes its second and third readings and is ordered enrolled.

H. B. 867, a bill to validate the official acts of W. A. Brame, a justice of the peace for Marks Creek Township, Wake County, North Carolina, from April 1, 1931, until April 21, 1932.

Passes its second and third readings and is ordered enrolled.

H. B. 1289, a bill to prohibit the manufacture or sale of beer or wine in Frenches Creek Township, Bladen County.

Passes its second and third readings and is ordered enrolled.

H. B. 1542, a bill to provide additional safeguards in the creation, establishment and reorganization of drainage districts in Hyde County.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1614, a bill to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Duplin County.

Passes its second and third readings and is ordered enrolled.

H. B. 1647, a bill to validate the election of May 2, 1933, for the town of Newport, Carteret County, and to provide bond for the town treasurer.

Passes its second and third readings and is ordered enrolled.

H. B. 1648, a bill authorizing the board of county commissioners of Washington County to place the sheriff on a salary.

Passes its second and third readings and is ordered enrolled.

H. B. 1651, a bill relating to terms of Superior Court of Yancey County.

Passes its second and third readings and is ordered enrolled.

H. B. 1475, a bill to release and remit tax penalties heretofore imposed by the county of Rowan and all municipalities in said county, applicable also to Alexander, upon third reading.

The bill passes third reading, ayes 34, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Blue, Boggan, Burgin, Clement, Cross, Dempsey, Eflord, Fuller, Grady, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McDuffee, McNeill of Ashe, Noell, Patton, Rankin—34.

The bill is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1622, a bill to fix the time to levy taxes for the town of Murphy.

Passes its second and third readings and is ordered enrolled.

H. B. 1638, a bill to protect hunting and fishing and timber reservations in Yancey County.

Passes its second and third readings and is ordered enrolled.

H. B. 1641, a bill to provide for six months service of grand juries in Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 1643, a bill to amend chapter 31 of the Private Laws of 1915, relating to the number of commissioners of the town of Pink Hill, Lenoir County.

Passes its second and third readings and is ordered enrolled.

S. B. 626, a bill to authorize the State Highway Commission to designate certain roads as light traffic roads, upon third reading.

Senator Cross offers an amendment which is adopted.

The bill, as amended, passes its third reading and is ordered engrossed.

S. B. 544, a bill to amend S. B. 180, Public Laws, 1933, ratified on the 27th day of March, 1933, being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates."

The amendments offered by the Committee are adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed.

H. B. 1657, a bill supplemental to and amendatory of House bill No. 120, entitled "An act to raise revenue," passed and ordered enrolled May 11, 1933.

Passes its second and third readings and is ordered enrolled.

S. B. 718, a bill to amend chapter 149, Public Laws 1927, which is an act governing the sales of stocks, bonds and other securities in the State of North Carolina, to bring the act up to date and to strengthen its provisions.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 734, a bill regulating the sale of inferior automobile tires.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 742, a bill regulating the payment of taxes of political subdivisions of the State in bonds of such subdivisions.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1315, a bill to amend the North Carolina game laws, relating to hunting preserves.

Passes its second reading and failed to pass on its third reading.

Upon motion of Senator McNeill of Cumberland, the vote by which the bill failed to pass its third reading is reconsidered.

S. B. 436, a bill to promote improved forestry methods and preserve certain forest lands.

The amendment offered by the Committee is adopted.

The bill fails to pass its second reading.

H. B. 1284, a bill to amend section 25 of chapter 120 of the Public Laws of 1929, relating to choice of personal physician.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings, and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1291, a bill to consolidate under the motor vehicle bureau in the Department of Revenue all activities of the State, relating to the registration and licensing of motor vehicles and inspection of gasoline and other petroleum



products, the collection of gasoline taxes and the enforcement of the motor vehicle laws.

The amendment offered by the Committee is adopted.

Senator Hinsdale offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1315, a bill to amend the North Carolina game laws, relating to hunting preserves, upon third reading.

Senator McNeill of Cumberland offers an amendment which fails of adoption.

The bill fails to pass its third reading.

#### CONFERENCE REPORT

Senator Hinsdale for the conferees appointed to consider the differences arising upon H. B. 782, reducing the salaries of certain officers of Wake County, submits the following report:

*To the President of the Senate and Speaker of the House of Representatives:*

We, the undersigned, your conferees, appointed to consider and adjust the differences arising between the Houses on House bill No. 782, title, "reducing the salaries of certain officers of Wake County," make the following report and recommendations:

That the Senate recede from its amendments.

Respectfully submitted,

JOHN W. HINSDALE,

S. E. DOUGLASS,

C. E. BLACKSTOCK,

THOMAS O'BERRY,

*Conferees on the part of the Senate.*

*Conferees on the part of the House.*

Upon motion of Senator Hinsdale, the Senate adopts the conference report and a message is ordered sent to the House of Representatives, informing that Body of such action.

Senator Blackstock for the conferees appointed to consider the differences arising upon H. B. 627, a bill to amend chapter 186, Private Laws 1931, being "An act to amend Senate bill No. 395, being the charter of the city of Asheville, pertaining to the reduction of salaries of councilmen and other employees," submits the following report:

*To the President of the Senate and Speaker of the House of Representatives:*

We, the undersigned conference committee having been appointed by the House and Senate on the Committee substitute for House bill No. 627, the same being "An act to amend chapter 186, Private Laws 1931, 'being an act to amend Senate bill No. 395, being the charter of the city of Asheville,' pertaining to the reduction of salaries of councilmen and other employees."

We recommend that the House concur in the Senate amendment.

W. A. SULLIVAN,

C. E. BLACKSTOCK,

THOMAS TURNER, JR.,

W. O. BURGIN,

J. C. MARTIN,

*Conferees on the part of the Senate.*

*Conferees on the part of the House.*

Upon motion of Senator Blackstock, the Senate adopts the conference report and a message is ordered sent to the House of Representatives, informing that Body of such action.

Upon motion of Senator Grady, S. B. 417, a bill to amend sections 6376, 6377, and 6379 of the Consolidated Statutes of North Carolina, requiring banks to give bond before qualifying as guardians, S. B. 676, a bill to prevent kidnapping in the State of North Carolina and fixing the penalty for kidnapping a human being, H. B. 1487, a bill to include Polk County in certain agricultural tenancy laws, H. B. 1450, to amend section 337 of the Consolidated Statutes, pertaining to acknowledgment before justices of the peace when clerks' certificates or order of registration defective, H. B. 1472, a bill to amend chapter 103, Public Laws 1929, relating to the punishment for obtaining entertainment at hotels and boarding houses without paying therefor, H. B. 1091, a bill to limit the time in which actions may be maintained to recover deficiency judgments after the foreclosure of mortgages and deeds of trust on real estate, and H. B. 1092, a bill for the relief of the estates of deceased persons, are taken from the Committee on Judiciary No. 2 and referred to the Calendar Committee.

Upon motion of Senator Kirkpatrick, S. B. 650, a bill to amend section 162 of the Consolidated Statutes, concerning the chain store tax covering departments in a department store, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Rankin, the Senate recesses to meet at 4:00 o'clock p.m.

#### AFTERNOON SESSION

SENATE CHAMBER,

FRIDAY, May 12, 1933.

The Senate meets pursuant to recess and is called to order by Lieutenant-Governor A. H. Graham.

Senator Greene moves that S. B. 722, a bill for the relief of Reid Berry, former sheriff and tax collector of Mitchell County, be taken from the unfavorable Calendar and placed upon the Calendar.

The motion fails to prevail.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Long, for the Committee on Public Health:

H. B. 1331, a bill to permit S. B. Parker to prescribe for and treat that poisoning or sickness known as "milk sickness" and to charge a reasonable fee therefor, reported without prejudice.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed, and they are ordered sent to the House of Representatives:



S. B. 626, a bill to authorize the State Highway Commission to designate certain roads as light traffic roads.

S. B. 544, a bill to amend S. B. 180, Public Laws, 1933, ratified the 27th day of March, 1933, being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates."

S. B. 718, a bill to amend chapter 149, Public Laws of 1927, which is an act governing the sales of stocks, bonds and other securities in the State of North Carolina, to bring the act up to date and to strengthen its provisions.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Waynick: S. R. 745, a joint resolution authorizing the Secretary of State to call into his assistance clerks from such departments of State as he may deem proper to work in the enrolling office after office hours of the different departments.

Upon motion of Senator Waynick, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives by a special messenger.

By Senator Waynick: S. B. 746, a bill to repeal "An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof," enrolled and ratified May 9, 1933.

Upon motion of Senator Waynick, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 1604, a bill to repeal S. B. 476, ratified April 24, 1933, entitled "An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions."

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES,  
FRIDAY, May 12, 1933.

*Mr. President:*

It is ordered that a message be sent to your Honorable Body with the information that the House has failed to concur in Senate amendments to H. B. 1572, title, "To authorize the board of commissioners of the town of Morehead City, after notice and public hearing, to relieve church properties of special assessments," and asks for a conference. For your information, the Speaker has appointed as conferees on the part of the House, Messrs.

Hamilton, Moyer and Tompkins, to act with a like committee from your Body to the end that differences existing between the two bodies may be adjusted.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators Rankin and Noell and a message is ordered sent to the House of Representatives informing that Body of such action.

HOUSE OF REPRESENTATIVES,

FRIDAY, May 12, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House has failed to concur in Senate amendment to H. B. 926, title, "To amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains," and asks for a conference. For your information, the Speaker has appointed as conferees on the part of the House, Messrs. Bender, Haynes, and Randolph, to act with a like committee from your Body, to adjust the differences existing on the bill.

Respectfully,

THAD EURE,

*Principal Clerk of the House.*

The President appoints as conferees on the part of the Senate, Senators Hanes and Cross, and a message is ordered sent to the House of Representatives informing that Body of such action.

HOUSE OF REPRESENTATIVES,

May 12, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House of Representatives has adopted the report of the conferees on S. B. 156, title "To promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole of the State for a term of eight months without the levy of any ad valorem tax therefor."

Respectfully,

THAD EURE,

*Clerk of the House.*

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 728, a bill to regulate the election of the municipal officers for the town of Asheboro.

The substitute offered by the Committee is adopted.



Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1640, a bill to provide for the payment of certain parts of the costs in settlement by delinquent taxpayers in Columbus County, under Senate bill 180, chapter 181, Public Laws 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1650, a bill to amend the charter of the town of Wrightsville Beach.

Passes its second and third readings and is ordered enrolled.

S. B. 737, a bill to transfer the division of weights and measures to the Department of Revenue and for other purposes.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1304, a bill regulating and providing for election of trustees of "The University of North Carolina," and to amend section 5789 of the Consolidated Statutes of North Carolina, 1919, and all acts amendatory thereof, and especially chapter 202, Public Laws 1931.

Senator Dempsey moves that the bill lie upon the table.

The motion prevails.

H. B. 1458, a bill relating to a moratorium on foreclosures of mortgages and deeds of trust.

Passes its second and third readings and is ordered enrolled.

H. B. 1652, a bill to extend the provisions of section 3536, section 3537, section 3538 and section 3539, of the Consolidated Statutes of North Carolina to motor busses operated by common carriers for hire.

Passes its second and third readings and is ordered enrolled.

S. B. 56, a bill to repeal sections 3401 and 3402 of article 6, chapter 66, of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills.

Upon motion of Senator Hartsell, the vote by which the Senate failed to concur in the House amendment is reconsidered.

Upon motion of Senator Hartsell, the Senate concurs in the House amendments and the bill is ordered enrolled.

#### CONFERENCE REPORT

Senator MacLean for the conferees appointed to consider the differences arising upon S. B. 156, a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole of the State for a term of eight months, without the levy of any ad valorem tax therefor, submits the following report:

*Hon. A. H. Graham, President of the Senate, and Hon. R. L. Harris, Speaker of the House of Representatives:*

The undersigned conferees on the part of the Senate and House of Representatives, after full conference and discussion, have agreed and now recommend and report as follows:

(1) That there be added to the House amendment to section 2, offered by Mr. Pope, "Provided that the pay, expenses and travel allowance of any

one member shall not exceed \$1,000 per year," the following: "beginning with the second fiscal year," and with this addition that said amendment be adopted.

(2) That the amendment to section 2, offered by Mr. Turner of Guilford, be adopted in the words "Provided, that no employee of the State School Commission shall be paid a salary in excess of \$2,800," with the following addition thereto: "Provided further, that the salary of the Executive Secretary of said Commission shall not exceed \$3,600 per annum," and with this addition that said amendment be adopted.

(3) That the amendment offered by Mr. Dowtin, "that this shall not apply to Wise Chartered School District of Warren County," be stricken out and that the House recede from this amendment.

(4) That the amendment to section 4, offered by Mr. Barden, inserting "60" in place of "80," be adopted.

(5) That the amendment to the third paragraph of section 4, offered by Messrs. Graham and Eagles and indicated as amendment No. 5, be adopted.

(6) That the amendment offered by Mr. Binford to section 4, line 7, page 2, substituting 1,000 in place of 2,000, be adopted with the following change: After the word "may" and before the word "be" in the ninth line on the second page insert the words, "with the approval of the State School Commission."

(7) That the amendment offered by Messrs. Aycock of Wake and Graham to section 4, indicated as amendment No. 7, be adopted.

(8) That the amendment to section 4, adding the word "the" and "sign" before the word "special" in line 13 of the third paragraph, be adopted, this amendment being numbered 8.

(9) That the amendment offered by Messrs. Aycock of Wake and Graham, numbered 9, be changed to read "June first" instead of "July first," and with this change that the same be adopted.

(10) That the amendment offered by Messrs. Graham and Aycock of Wake at the end of section 8, indicated as amendment 10, be adopted.

(11) That the amendment offered by Mr. Cameron in line 4, section 11, indicated as amendment 11, be adopted.

(12) That the amendment to section 12 in lines 12 and 13, offered by Messrs. Tompkins, Aycock of Wake and Graham, amendment No. 12, be adopted.

(13) That the amendment offered to section 15 by Messrs. Moss and others, indicated as amendment 13, be adopted.

(14) That the amendment offered by Messrs. Tatem and others to section 16, indicated as amendment 14, be stricken out and that the following be added after the word "act" in the fourth line of section 4, striking out the period and inserting a colon: "Provided, that nothing herein contained shall be construed to prevent the tax levying authorities in any administrative unit, with the approval of the State School Commission, from levying taxes to provide the necessary funds for teaching vocational agriculture and home economics in such unit when said tax levying authorities are now authorized by law to do so and are now levying taxes for such purposes."

(15) That the amendment to section 17, offered by Messrs. Aycock of Wake and Graham, indicated as amendment No. 15, be adopted.



(16) That the amendment offered by Mr. Thomas O'Berry to section 17, be indicated as amendment No. 16, be adopted.

(17) That the amendment offered by Mr. Taylor of Currituck, relating to Currituck and Cherokee counties, indicated as amendment 17, be adopted.

(18) That the amendment offered by Mr. Smith, relating to Martin County, indicated as amendment No. 18, be adopted.

(19) That the amendment offered by Messrs. Aycock of Wake and Graham in line 16 of section 17, indicated as amendment No. 19, be adopted.

(20) That the amendment striking out section 19 and substituting another section 19 in lieu thereof, offered by Messrs. Aycock of Wake and Graham, indicated as amendment No. 20, be adopted.

21) That the amendment at the end of section 26, offered by Messrs. Bean and Murphy, indicated as amendment No. 21, be adopted, with the following correction: Strike out in the third line of said amendment the words "a file record" and insert "a record filed."

(22) That the amendment offered by Mr. Morphew in line 3 of the second paragraph of section 29, indicated as amendment No. 22, be adopted.

(23) That the amendment offered by Mr. McEachern, indicated as amendment No. 23, be adopted and numbered section 34½.

(24) At the request of the Governor because of the early adjournment of the Legislature, it is agreed and proposed that the words "and confirmed by the Senate" in the seventh line of section 2 be stricken out.

Respectfully submitted,

A. D. MACLEAN,  
HAYDEN CLEMENT,  
LLOYD E. GRIFFIN,

*Conferees on the part of the Senate.*

ERNEST GRAHAM,  
J. C. SMITH,  
R. F. BEASLEY,  
ALLISON JAMES,  
AYCOCK, of Wake,

*Conferees on the part of the House.*

Senator Kirkpatrick moves that the report of the conferees be adopted.

Upon the adoption of the report, Senator Moore calls for the ayes and noes. The call is sustained.

The report is adopted, ayes 27, noes 14, as follows:

Those voting in the affirmative are: Senators Aiken, Bailey, Barker, Beatty, Bell, Bland, Blue, Clement, Cross, Fuller, Grady, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McDuffee, Patton, Rankin, Summersill—27.

Those voting in the negative are: Senators Bagley, Blackstock, Boggan, Clark, Dempsey, Efird, Greene, Ingram, MacLean, McNeill of Ashe, McNeill of Cumberland, Moore, Waynick—14.

The Conference Report providing for the levy of a tax, not contained in the bill sent to the House of Representatives, the adoption of the report is

held to have been its first reading and the report takes its place upon the second reading roll call Calendar for tomorrow.

Senator Moore for the conferees appointed to consider the difference arising upon S. B. 589, a bill to allow persons in Haywood, Henderson, Transylvania, Cherokee and Macon counties to come under the provisions of H. B. 1321 of the 1933 session, etc., submits the following report:

*Hon. A. H. Graham, President of the Senate, and Hon. R. L. Harris, Speaker of the House of Representatives:*

We, the undersigned, your Conference Committee appointed to consider and adjust the differences arising between the Senate and the House of Representatives on Senate bill 589, title, "To allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties to come under the provisions of House bill 1321 of the 1933 session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations," respectfully make the following recommendations:

First. That the House recede from its amendments adding Guilford and Davidson counties as coming under the provisions of this bill.

Second. That the Senate concur in all of the other amendments offered and adopted by the House of Representatives.

Respectfully submitted,

CAPUS M. WAYNICK,

L. I. MOORE,

*Conferees on part of the Senate.*

W. A. SULLIVAN,

W. W. EAGLES,

R. BRUCE ETHERIDGE, JR.,

*Conferees on part of the House.*

Upon motion of Senator Moore, the Senate adopts the Conference report and a message is ordered sent to the House of Representatives informing that Body of such action.

Upon motion of Senator Summersill, H. B. 1445, a bill to make the office of county accountant of Lenoir County elective, is taken from the Committee on Counties, Cities and Towns and referred to the Committee on Calendar.

Upon motion of Senator Clark, the Senate recesses to meet tonight at 8:00 o'clock.

#### EVENING SESSION

SENATE CHAMBER,

FRIDAY, May 12, 1933.

The Senate meets pursuant to recess, and is called to order by Lieutenant-Governor A. H. Graham.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:



By Senator Bailey: S. B. 747, a bill to repeal H. B. 1628 of the present session of the General Assembly, ratified May 12, 1933, and to amend S. B. 180 of the present session of the General Assembly, ratified February 13, 1933.

Upon motion of Senator Bailey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time and disposed of as follows:

H. B. 1653, a bill to define the limits of the village of Yanceyville in the county of Caswell, and to prescribe the limits in said village in which beer and other beverages mentioned in the "Beverage Control Act of 1933" may be sold.

Placed upon the Calendar.

H. B. 1676, a bill to remit all tax penalties on uncollected taxes for the year 1932, in the county of Rowan and the municipalities therein.

Placed upon the Calendar.

S. B. 714, a bill to reduce and remit part of the tax penalties heretofore imposed by the counties of Catawba and Iredell and all municipalities in said counties, for concurrence in the House amendment.

Upon motion of Senator Aiken, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 1684, a bill regulating the salaries of certain officers of Wake County. Placed upon the Calendar.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1666, a bill to amend H. B. 1274, it being "An act to amend chapter 86, Public-Local Laws of 1931, being an act to place officers of Mecklenburg County on salaries."

Passes its second and third readings and is ordered enrolled.

H. B. 868, a bill to provide a closed season for four years for hunting quail or partridge in Yadkin County.

Passes its second and third readings and is ordered enrolled.

H. B. 1487, a bill to include Polk County in certain agricultural tenancy laws. Passes its second and third readings and is ordered enrolled.

H. B. 1595, a bill authorizing postponement of sales for certain delinquent taxes and special assessments.

Passes its second and third readings and is ordered enrolled.

H. B. 1636, a bill to provide for the appointment of justices of the peace for High Point Township in Guilford County, and to limit the number thereof, and to fix the terms of the incumbents of said offices in High Point Township.

Passes its second and third readings and is ordered enrolled.

H. B. 1637, a bill authorizing the county commissioners of Columbus County to convey to a trustee all real property, bought by said county under tax foreclosure proceedings.

Passes its second and third readings and is ordered enrolled.

H. B. 1649, a bill to amend H. B. 158, ratified March 13, 1933, and known as the tax foreclosure act of 1933, as the same relates to Columbus County.

Passes its second and third readings and is ordered enrolled.

H. B. 1658, a bill to authorize the town of Wendell to accept its own bonds in payment of taxes and street assessments and to purchase its own bonds.

The amendment offered by the Committee is accepted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1672, a bill to repeal chapter 160 of the Public-Local Laws of 1931, same being "An act to reduce the fee allowed for seizure of illicit stills in Yadkin County from \$20.00 to \$10.00."

Passes its second and third readings and is ordered enrolled.

H. B. 1659, a bill relating to tax collector and auditor of Columbus County to accept settlement for past due indebtedness.

Passes its second and third readings and is ordered enrolled.

H. B. 1669, a bill to appoint S. M. Boyette, D. P. Spell and M. H. Barber, justices of the peace in Johnston County.

Passes its second and third readings and is ordered enrolled.

H. B. 1670, a bill to authorize the board of commissioners of Lee County and the municipalities therein to accept certain bonds in the payment of taxes.

Passes its second and third readings and is ordered enrolled.

H. B. 1671, a bill to allow compensation to the board of aldermen of the city of Southport, North Carolina, for regular meetings.

Passes its second and third readings and is ordered enrolled.

H. B. 1673, a bill to amend S. B. 313, relating to the fees for registering Federal crop liens and Federal chattel mortgages, which was ratified March 20, 1933, by exempting Surry County from the operation of said act.

Passes its second and third readings and is ordered enrolled.

H. B. 1675, a bill creating an agricultural and breeders association for the county of Pasquotank on approval by the voters of said county.

Passes its second and third readings and is ordered enrolled.

Upon motion of Senator Bailey, the Senate adjourns to meet tomorrow morning at 10:00 o'clock.

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## ONE HUNDRED TWELFTH DAY

SENATE CHAMBER,  
SATURDAY, May 13, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Mr. Lex Kluttz, Y. M. C. A., of Raleigh, N. C.

Senator Patton, for the Committee on Journal, announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion the reading of the Journal is dispensed with and it stands approved as written.

Upon motion of Senator Griffin of Chowan, H. B. 1491, a bill to prohibit the setting of steel traps in Perquimans County for a period of two years, is taken from the unfavorable Calendar and placed upon the Calendar.



Upon motion of Senator Patton, H. B. 913, a bill requiring the State Highway Commission to include certain county public roads in Transylvania County in its State maintained list and to maintain same, is taken from the Committee on Public Roads and referred to the Committee on Calendar.

Upon motion of Senator Hanes, H. B. 1415, a bill to amend chapter 78 of the Consolidated Statutes of North Carolina so as to authorize the investment of trust funds in building and loan associations, is taken from the Committee on Insurance and referred to the Committee on Calendar.

Upon motion of Senator Boggan, H. B. 1588, a bill to allow the towns of Rockingham and Ellerbe to accept their respective bonds in payment of past due taxes, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Ingram, H. B. 706, a bill to amend section 1681 of the Consolidated Statutes of North Carolina, so as to exempt Moore County from provision for payment for damages done by dogs, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Summersill, H. B. 350, a bill to coördinate and consolidate the functions of government for Duplin County and to provide a maximum tax levy for the years 1933 and 1934 of sixty-six and two-thirds cents, is taken from the Committee on Counties, Cities and Towns and referred to the Committee on Calendar.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their places on the Calendar, as follows:

By Senator Clement, for the Committee on Appropriations:

S. R. 581, a joint resolution authorizing the Secretary of State to have the enrolled and ratified acts and resolutions of sessions of General Assembly 1931 and 1933 bound in usual form, with a favorable report.

By Senator Rankin, for the Committee on Finance:

H. B. 95, a bill to amend section 1934 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenues in Hertford County, with a favorable report.

#### ENGROSSED BILLS

Senator Hartsell, for the Committee on Engrossed Bills, respectfully reports the following bills as properly engrossed and they are ordered sent to the House of Representatives:

S. B. 733, a bill to provide for regulations so as to prohibit unfair trade practices in the administration of the general retail sales tax law.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator MacLean: S. R. 748, a joint resolution by the General Assembly of North Carolina, providing for adjournment on Monday, May 15, 1933.

Upon motion of Senator MacLean, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hinsdale: S. B. 749, a bill authorizing the director of the budget to use certain unencumbered balances existing under the appropriations of 1931 to discharge interest obligations incurred in operation of public schools.

Upon motion of Senator Hinsdale, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 693, a bill relating to funding and refunding bonds of counties and municipalities, for concurrence in the House amendments.

Upon motion of Senator Hanes, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 595, a bill to amend section 2583 of the Consolidated Statutes of 1919, Volume I, for concurrence in the House amendments.

Upon motion of Senator McDuffee, the Senate concurs in the House amendments and the bill is ordered enrolled.

S. B. 664, a bill to aid public school teachers in securing, raising and renewing their certificates, for concurrence in the House amendments.

Upon motion of Senator Aiken, the Senate concurs in the House amendments and the bill is ordered enrolled.

H. B. 1634, a bill to amend H. B. 1227, the same being "An act to appoint certain members of the boards of education of the respective counties of North Carolina, fix their terms of office and limit compensation at State expense," ratified May 10, 1933.

Upon motion of Senator McDuffee, the rules are suspended and the bill is placed upon its immediate readings.

Upon motion of Senator McDuffee, the bill is laid upon the table.

H. B. 1639, a bill to authorize the director of the division of purchase and contract to exchange the automobile now owned by the State of North Carolina and allotted to the Governor for another automobile whenever in his judgment same is necessary.

Placed upon the Calendar.

H. B. 1642, a bill to provide for the organization, incorporation and operation of cash depositories in the county of Guilford.

Placed upon the Calendar.

H. B. 1654, a bill to permit localities having made a satisfactory adjustment with bondholders to supplement.

Placed upon the Calendar.



H. B. 1660, a bill to prevent fraud and deception in the sale of rebuilt electric storage batteries, and prescribing penalties for violation hereof.

Placed upon the Calendar.

H. B. 1680, a bill to appoint E. H. Ballentine a justice of the peace for Middle Creek Township, Wake County, and to validate the official acts heretofore performed by him.

Placed upon the Calendar.

H. B. 1682, a bill to amend the North Carolina Game Laws, relating to hunting in Cumberland and Harnett counties.

Placed upon the Calendar.

H. B. 1681, a bill relating to the advertisement of delinquent taxes in Montgomery County.

Placed upon the Calendar.

H. B. 1678, a bill relating to certain fees of Clerk of Superior Court, Gates County.

Placed upon the Calendar.

H. B. 1679, a bill to amend S. B. 318, being "An act to improve the sanitary conditions of the manufacture of bedding," ratified May 3, 1933, so as to exempt Edgecombe, Wilson and Lenoir counties.

Placed upon the Calendar.

H. B. 1685, a bill supplemental to and amendatory of H. B. 1232, it being "An act to appoint justices of the peace for the several counties of North Carolina," ordered enrolled May 12, 1933.

Placed upon the Calendar.

H. B. 1686, a bill creating an agricultural and breeders' association for the county of Rowan on approval by the voters of said county.

Placed upon the Calendar.

H. B. 1687, a bill for the relief of Reid Berry, former sheriff and tax collector of Mitchell County.

Placed upon the Calendar.

H. B. 1688, a bill to provide for the collection of court costs in suits now pending in the Edgecombe County Superior Court.

Placed upon the Calendar.

H. B. 1690, a bill to validate the official acts performed between April 1, 1933, and May 12, 1933, by justices of the peace appointed in the Omnibus Bill, ratified May 12, 1933.

Placed upon the Calendar.

H. B. 1691, a bill to amend S. B. 589, relating to closed banks in certain counties.

Placed upon the Calendar.

H. B. 1692, a bill to amend the justice of the peace omnibus bill.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Senator Greene moves that the bill do lie upon the table.

The motion prevails.

H. B. 1689, a bill to amend chapter 187 of the Private Laws of 1931, relating to the salary of the mayor of the town of Boone, Watauga County.

Placed upon the Calendar.

HOUSE OF REPRESENTATIVES,  
May 13, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House has adopted the report of the conferees on H. B. 926, title, "To amend section 3481 of the Consolidated Statutes of North Carolina, by conferring upon the Corporation Commission, or its successor, the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains," and awaits message from your Body of the adoption of a similar report in order that the bill may be ordered enrolled by the House of Representatives.

Respectfully,

THAD EURE,  
*Principal Clerk.*

HOUSE OF REPRESENTATIVES,  
May 13, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House of Representatives has adopted the report of the conferees on H. B. 1572, title, "To authorize the board of commissioners of the town of Morehead City, after notice and public hearing, to relieve church properties of special assessments," and awaits message from your Body of the adoption of a similar report in order that the bill may be ordered enrolled by the House of Representatives.

Respectfully,

THAD EURE,  
*Principal Clerk.*

#### ENROLLED BILLS

Senator Bell, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

H. B. 120, an act to raise revenue.

S. B. 56, an act to repeal sections 3401, and 3402 of article 6, chapter 66, of the Consolidated Statutes of North Carolina, relating to fees for seizure of stills.

S. B. 549, an act to provide for instruction in thrift and saving in the public schools of the State.

S. B. 555, an act to amend section 2591 of the North Carolina Code of 1927, relating to reopening judicial sales under execution.

S. B. 575, an act to promote orderly liquidation of closed and insolvent banks in the State of North Carolina.

S. B. 625, an act to repeal chapter 322 of the Public Laws of 1931, so as to restrict motor vehicle trains to a combination of not more than two vehicles.

S. B. 717, an act relating to the charter of the town of Elm City.

S. B. 720, an act to postpone and defer the sale of land for delinquent taxes for the year 1932, in Cumberland County.

S. B. 721, an act to validate certain tax sales in Cumberland County and the city of Fayetteville.



S. B. 725, an act to authorize the commissioners of the town of Selma to appoint a cotton weigher for the said town and to fix the compensation of said cotton weigher.

S. B. 726, an act to authorize the commissioners of Johnston County, in their discretion, to establish, erect and maintain an institution for the care of female prisoners.

S. B. 728, an act to regulate the election of the municipal officers for the town of Asheboro.

S. B. 729, an act to postpone and defer the sale of land for delinquent taxes for the year 1932, in Hoke County.

H. B. 397, an act regulating the open season for game and providing for certain license fees in the county of Ashe.

H. B. 1458, an act relating to a moratorium on foreclosures of mortgages and deeds of trust.

H. B. 1487, an act to include Polk County in certain agricultural tenancy laws.

H. B. 1636, an act to provide for the appointment of justices of the peace for High Point Township, in Guilford County, and to limit the number thereof, and to fix the terms of the incumbents of said offices in High Point Township.

H. B. 1640, an act to provide for the payment of certain parts of the costs in settlement by delinquent taxpayers in Columbus County under S. B. 180, chapter 181, Public Laws 1933.

H. B. 1649, an act to amend H. B. 158, ratified March 13, 1933, and known as "The tax foreclosure act of 1933," as the same relates to Columbus County.

H. B. 1650, an act to amend the charter of the town of Wrightsville Beach.

H. B. 1652, an act to extend the provisions of section 3536, section 3537, section 3538 and section 3539 of the Consolidated Statutes of North Carolina to motor busses operated by common carriers for hire.

H. B. 1659, an act relating to tax collector and auditor of Columbus County.

H. B. 1232, an act to appoint justices of the peace for the several counties of North Carolina.

S. B. 345, an act regulating the purchase and character of the fuel for use in the rural public schools of North Carolina.

S. B. 512, an act to amend chapter 120, Public Laws of 1929, the same being known as the Workmen's Compensation Act.

S. B. 690, an act to amend an act of the General Assembly of North Carolina, session 1933, entitled "An act to authorize the governing agencies in Wayne County to acquire their own obligations," and known as S. B. 475.

S. B. 704, an act to amend S. B. 631, relating to tax penalties in Cumberland County, ratified May 9, 1933.

S. B. 711, an act to district Washington County for the purpose of the nomination and election of members of the board of county commissioners.

S. B. 727, an act to amend S. B. 665, being entitled "An act to prohibit the exhibition of any free medicine shows or like performances in Catawba County."

H. B. 627, an act to amend chapter 186, Private Laws 1931, being "An act to amend S. B. 395, being the charter of the city of Asheville," pertaining to the reduction of salaries of councilmen and other employees.

S. B. 698, an act to amend S. B. 334, ratified the 27th day of March, 1933, the same being entitled "An act to amend chapter 647 of the Public-Local Laws of 1911, relating to the recorder's court of Thomasville."

H. B. 807, an act regulating hunting license in Hyde County.

H. B. 867, an act to validate the official acts of W. A. Brame, a justice of the peace for Marks Township, Wake County, North Carolina, from April 1, 1931, until April 21, 1932.

H. B. 1289, an act to prohibit the manufacture or sale of beer or wine in French's Creek Township, Bladen County.

H. B. 1341, an act to place the names of certain Confederate soldiers and widows of Confederate soldiers on the pension list.

H. B. 1531, an act to provide the regulation and taxation of peddlers in the counties of Cabarrus and Davidson.

H. B. 1428, an act to authorize the commissioners of Johnston County to retire sinking fund loans with county bonds.

H. B. 1614, an act to repeal certain provisions of section 1681 of the Consolidated Statutes, relating to compensation for damages done by dogs in Duplin County.

H. B. 1622, an act to fix the time to levy taxes for the town of Murphy.

H. B. 1624, an act to amend chapter 427, Public-Local Laws 1927, relating to the salary of the sheriff of Guilford County.

H. B. 1638, an act to protect hunting and fishing, and timber reservations in Yancey County.

H. B. 1641, an act to provide for six months service of grand juries in Columbus County.

H. B. 1643, an act to amend chapter 31 of the Private Laws of 1915, relating to the number of commissioners of the town of Pink Hill, Lenoir County.

H. B. 1647, an act to validate the election of May 2, 1933, for the town of Newport, Carteret County, and to provide for bond for the town treasurer.

H. B. 1648, an act authorizing the board of county commissioners of Washington County to place the sheriff on a salary.

H. B. 1651, an act relating to terms of Superior Court of Yancey County.

H. B. 1663, an act supplemental to an act relating to the fees for registering Federal crop liens and Federal chattel mortgages, being S. B. 313, ratified March 20, 1933, as amended.

H. B. 1664, an act to amend chapter 121, Private Laws of 1931, in order to clarify the election laws of the city of Asheville.

S. R. 745, a joint resolution authorizing the Secretary of State to call into his assistance clerks from such departments of State as he may deem proper to work in the Enrolling Office after office hours of the different departments.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1586, a bill validating notes of the city of Thomasville and the city of Lexington, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Clark, Clement,



Cross, Dempsey, Efird, Fuller, Grady, Greene, Griffin of Chowan, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Summersill, Waynick—39.

The bill is ordered enrolled.

H. B. 1575, a bill to authorize the board of commissioners of Jackson County to retire their bonded indebtedness, upon third reading.

The bill passes third reading, ayes 39, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Clark, Clement, Cross, Dempsey, Efird, Fuller, Grady, Greene, Griffin of Chowan, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Summersill, Waynick—39.

The bill is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1318, a bill authorizing a special tax levy for the expense of revaluing property in Sampson County, upon second reading.

The bill passes second reading, ayes 39, noes 9, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Blackstock, Bland, Blue, Boggan, Brown, Clark, Clement, Cross, Dempsey, Efird, Fuller, Grady, Greene, Griffin of Chowan, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Noell, Patton, Rankin, Summersill, Waynick—39.

Conference report on S. B. 156, it being a bill to promote efficiency in the organization and economy in the administration of the public schools of the State, to provide for the operation of a uniform system of schools in the whole of the State for a term of eight months, without the levy of any advalorem tax therefor, upon second reading.

The bill passes second reading, ayes 35, noes 6, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Bland, Blue, Brown, Clark, Clement, Cross, Dempsey, Efird, Fuller, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Cumberland, Patton, Rankin, Summersill—35.

Those voting in the negative are: Senators Blackstock, Boggan, McNeill of Ashe, Moore, Noell, Waynick—6.

S. B. 444, a bill to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian race of Robeson County.

The substitute adopted by the House is adopted by the Senate.

Passes its second and third readings and is ordered enrolled.

S. B. 417, a bill to amend sections 6376, 6377 and 6379 of Consolidated Statutes of North Carolina, requiring banks to give bond before qualifying as guardians.

Upon motion of Senator Hanes, the bill is laid upon the table.

S. B. 733, a bill to provide for regulations so as to prohibit unfair trade practices in the administration of the general retail sales tax law.

The amendment offered by the Committee is adopted.

Senator Waynick offers an amendment which is adopted.

Senator Bailey offers an amendment which is adopted.

Upon the passage of the bill on its second reading, Senator Hairfield calls for the ayes and noes.

The call is sustained.

The bill passes second reading, ayes 36, noes 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Beatty, Bell, Blackstock, Bland, Boggan, Brown, Clark, Clement, Cross, Dempsey, Efid, Grady, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hartsell, Hill, Hinsdale, Ingram, Joyner, Kirkpatrick, Land, Long, McBryde, McNeill of Ashe, McNeill of Cumberland, Moore, Patton, Rankin, Summersill, Waynick—36.

The bill passes its third reading and is ordered engrossed.

Upon motion of Senator Hartsell, a letter from Willard Dowell, as follows, Secretary State Merchants Association, read by Senator Hinsdale, relative to the bill, is ordered entered in the Journal:

SENATORS HINSDALE AND WAYNICK, *State Senate, Raleigh, N. C.*

GENTLEMEN: Replying to your inquiry of this date as to whether or not the organized merchants of the State will contest the constitutionality of the "sales tax" section of the Revenue Act if the Assembly enacts a supplemental bill making it mandatory that the tax imposed be passed on to the consumer, I regret to advise that I am without authority to give you definite assurance that the act will not be contested, however, I will state, that in my opinion, if the merchants are protected in the matter by the passage of a mandatory feature which will insure the passing of the tax the probabilities are that the act will not be contested.

On the other hand, if no protection is accorded the merchant and no mandatory provision for passing the tax on to the consumer is provided, I am positive the validity of the act will be contested and carried, if necessary, to the United States Supreme Court.

The merchants of North Carolina recognize the needs of the State as much as any other class of our citizenship. They are as loyal and patriotic as any group of our people, they have no disposition or desire to retard the efficient operation of any law, but they do resent being singled out as the major tax bearers of the State at a time when they are finding it extremely difficult to remain in business. If they can be protected in the matter of passing on the sales tax they will, in all probability, graciously accept the law and endeavor to cooperate in making it a success, but without such protection, I am sure no one can blame them for contesting an act that imposes an additional tax burden of \$9,000,000 upon them especially since the principle of a general sales tax has never been sustained by the courts of this country.

Only yesterday, May 10, 1933, the Illinois Supreme Court held the sales tax law of that State invalid and if you will examine the Illinois and North Carolina Statutes, you will observe that the respective sales tax laws are



strikingly similar. We believe the sales tax law as passed in this State is also unconstitutional, but, as above stated, if the merchant is protected in the matter of passing the tax on to the consumer, he will probably accept the tax as a temporary measure and refrain from carrying the matter to the courts.

I wish to be perfectly fair and, therefore, I again state, that I cannot speak with authority on the question of contesting the act, but I do not think it will be contested if a satisfactory mandatory feature for passing the tax on to the consumer is enacted.

Yours very truly,

W. L. DOWELL,  
*Executive Secretary.*

S. B. 744, a bill to authorize the city of Durham to accept certain bonds in payment of taxes, special assessments and other dues.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 676, a bill to prevent kidnapping in the State of North Carolina, and fixing the penalty for kidnapping a human being.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 650, a bill to amend section 162 of the budget revenue bill of 1933, concerning the chain store tax covering departments in a department store.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives.

S. B. 653, a bill to amend section 218 (c) of Volume III of the Consolidated Statutes as amended by chapter 113, Public Laws of 1927, relating to unclaimed deposits in closed banks.

Senator Hinsdale offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives.

S. R. 581, a joint resolution authorizing the Secretary of State to have the enrolled and ratified acts and resolutions of session of General Assembly, 1931 and 1933, bound in usual form.

Passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 95, a bill to amend section 1334 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenues in Hertford County.

Passes its second and third readings and is ordered enrolled.

H. B. 1686, a bill creating an agricultural and breeders' association for the county of Rowan on approval by the voters of said county.

Senator Clement offers amendments which are adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendments.

H. B. 1450, a bill to amend section 3337 of the Consolidated Statutes pertaining to acknowledgment before justices of the peace where clerk's certificates or order of registration defective, applicable only to the counties of Clay and Buncombe.

The substitute offered by the Committee is adopted.

Passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate substitute.

H. B. 1681, a bill relating to the advertisement of delinquent taxes in Montgomery County.

Passes its second and third readings and is ordered enrolled.

H. B. 1685, a bill supplemental to and amendatory of H. B. 1232, it being "An act to appoint justices of the peace for the several counties of North Carolina," ordered enrolled May 12, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1688, a bill to provide for the collection of court costs in suits now pending in the Edgecombe County Superior Court.

Passes its second and third readings and is ordered enrolled.

H. B. 1689, a bill to amend chapter 187 of the Private Laws of 1931, relating to the salary of the mayor of the town of Boone, Watauga County.

Passes its second and third readings and is ordered enrolled.

H. B. 1642, a bill to provide for the organization, incorporation and operation of cash depositories in the county of Guilford.

Passes its second and third readings and is ordered enrolled.

H. B. 1678, a bill relating to certain fees of Clerk of Superior Court, Gates County.

Passes its second and third readings and is ordered enrolled.

H. B. 1679, a bill to amend S. B. 318, being "An act to improve the sanitary conditions of the manufacture of bedding," ratified May 3, 1933, so as to exempt Edgecombe, Wilson and Lenoir counties.

Passes its second and third readings and is ordered enrolled.

H. B. 1680, a bill to appoint E. H. Ballentine a justice of the peace for Middle Creek Township, Wake County, and to validate the official acts heretofore performed by him.

Passes its second and third readings and is ordered enrolled.

H. B. 1691, a bill to amend S. B. 589, relating to closed banks in certain counties.

Passes its second and third readings and is ordered enrolled.

H. B. 1578, a bill to amend an act ratified on the 5th day of May, 1933, the same being entitled "An act to amend chapter 122 of the Public Laws of 1927, and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck-tractors, trailers, semi-trailers and busses," and being committee substitute for H. B. 446.

Passes its second and third readings and is ordered enrolled.

H. B. 1500, a bill to amend chapter 260 of the Public Laws of North Carolina, session of 1931, and chapter 204 of the Public Laws of North Carolina, session of 1929, relating to tax sales.

Passes its second and third readings and is ordered enrolled.

H. B. 1639, a bill to authorize the Director of the Division of Purchase and Contract to exchange the automobile now owned by the State of North



Carolina and allotted to the Governor for another automobile whenever in his judgment same is necessary.

Passes its second and third readings and is ordered enrolled.

H. B. 1472, a bill to amend chapter 103, Public Laws 1929, relating to the punishment for obtaining entertainment at hotels and boarding houses without paying therefor.

Passes its second and third readings and is ordered enrolled.

H. R. 1565, a joint resolution to authorize the State Highway Commission to vest in the United States Government title to bridge and its abutments on route 91 across Wilkerson's Creek in Hyde County.

Passes its second and third readings and is ordered enrolled.

H. B. 1415, a bill to amend chapter 78 of the Consolidated Statutes of North Carolina so as to authorize the investment of trust funds in building and loan associations.

Passes its second reading.

Upon objection by Senator Hill to its final passage, the bill remains upon the Calendar.

S. B. 741, a bill fixing additional terms of the Superior Courts in the counties of Mitchell and Avery, in the Seventeenth Judicial District.

Upon motion of Senator Greene, the bill is laid upon the table.

H. B. 1588, a bill to allow the towns of Rockingham and Ellerbe to accept their respective bonds in payment of past due taxes.

Senator Blue offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1627, a bill to authorize the town of Maxton to accept its obligations in payment of taxes and assessments.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1653, a bill to define the limits of village of Yanceyville, in the county of Caswell, and to prescribe the limits in said village in which beer and other beverages mentioned in the "Beverage Control Act of 1933" may be sold.

Passes its second and third readings and is ordered enrolled.

H. B. 1684, a bill regulating the salaries of certain officers of Wake County.

Passes its second and third readings and is ordered enrolled.

H. B. 1331, a bill to permit S. B. Parker to prescribe for and treat that poisoning or sickness known as "Milk Sickness" and to charge a reasonable fee therefor.

The bill fails to pass its second reading.

#### CONFERENCE REPORT

Senator Rankin for the conferees appointed to consider the differences arising upon H. B. 1572, a bill to authorize the board of commissioners of the town of Morehead City after notice and public hearing to relieve church properties of special assessments, submits the following report:

*To Honorable A. H. Graham, President of the Senate, and Honorable R. L. Harris, Speaker of the House of Representatives:*

We, the undersigned conferees, appointed to recommend adjustment of the differences between the Senate and House with reference to H. B. 1572, being "A bill to be entitled an act to authorize the board of commissioners of the town of Morehead City, after notice and public hearing, to relieve church properties of special assessments," do respectfully recommend that the Senate recede from its amendment to the said bill.

Respectfully submitted,

R. G. RANKIN,

J. W. NOELL,

*Conferees on the part of the Senate.*

LUTHER HAMILTON,

J. C. MOYE,

DAN TOMPKINS,

*Conferees on the part of the House.*

Upon motion of Senator Rankin, the Senate adopts the report of the Conference Committee and a message is ordered sent to the House of Representatives informing that Body of such action.

Senator Hanes, for the conferees appointed to consider the differences arising upon H. B. 926, a bill to amend section 3481 of the Consolidated Statutes of North Carolina, by conferring upon the Corporation Commission, or its successor, the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains," submits the following report:

*To the President of the Senate and Speaker of the House of Representatives:*

We, the undersigned, your conferees appointed to consider and adjust the differences arising on H. B. 926, title, "To amend section 3481 of the Consolidated Statutes of North Carolina, by conferring upon the Corporation Commission, or its successor, the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains," do respectfully recommend the following:

First: That the House concur in the Senate amendments.

Respectfully submitted,

R. M. HANES,

*Conferee on the part of the Senate.*

R. P. BENDER,

J. P. RANDOLPH,

*Conferees on the part of the House.*

Dissenting:

T. S. CROSS.

C. H. HAYNES.



Upon motion of Senator Hanes, the Senate adopts the conference report and a message is ordered sent to the House of Representatives informing that Body of such action.

Upon motion of Senator Patton, the Senate recesses to meet at 3:30 p.m.

#### AFTERNOON SESSION

SENATE CHAMBER,

SATURDAY, May 13, 1933.

The Senate meets pursuant to recess and is called to order by Lieutenant-Governor A. H. Graham.

Upon motion of Senator Patton, H. B. 697, a bill to authorize the tax collector of Macon County and his successor to collect back taxes in Macon County, is taken from the Committee on Finance and placed upon the Calendar.

Upon motion of Senator Waynick, S. B. 366, a bill to amend section 1681 of the Consolidated Statutes of North Carolina, relating to payment of damages for injury to person or property by dogs, is taken from the Committee on Finance and placed upon the Calendar.

Upon motion of Senator Bailey, H. B. 1398, a bill to prohibit fishing with stake nets between the hours of sunset and sunrise, is taken from the Committee on Commercial Fisheries and placed upon the Calendar.

Upon motion of Senator Waynick, H. B. 1637, a bill authorizing the county commissioners of Columbus County to convey to a trustee all real property bought by said county under tax foreclosure proceedings, is ordered recalled from the Enrolling Office.

Upon motion of Senator Waynick, the vote by which the bill passed its third reading is reconsidered.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator Barker: S. B. 750, a bill to repeal H. B. 1320, the same being "An act regulating the collection of delinquent taxes in Sampson County," ratified the 11th day of May, 1933.

Upon motion of Senator Barker, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Patton: S. B. 751, a bill repealing Senate Bill 686, relating to agricultural lime produced by convict labor.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Senator Bagley moves that the bill do lie upon the Table.

The motion fails to prevail.

Passes its second reading and upon objection by Senator Bagley to its final passage the bill remains upon the Calendar.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 735, a bill to create a police and firemen's relief fund for persons engaged in departmental service in the city of High Point, for concurrence in the House amendment.

Upon motion of Senator Waynick, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 718, a bill to amend chapter 149, Public Laws of 1927, which is "An Act governing the sales of stocks, bonds and other securities in the State of North Carolina," to bring the act up to date and to strengthen its provisions, for concurrence in the House Amendment.

Upon motion of Senator Hill, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 1696, a bill supplemental to and amendatory of H. B. 1575, being "An Act authorizing the county of Jackson to retire its bonded indebtedness," ratified May 13, 1933.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Upon motion of Senator Patton, the bill is laid upon the Table.

H. B. 1698, a bill conferring additional powers upon the county board of health of Columbus County, with respect to sanitation and prevention of disease.

Upon motion of Senator Beatty, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

S. B. 746, a bill to repeal "An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof," enrolled and ratified May 9, 1933, for concurrence in the House amendment.

Upon motion of Senator Waynick, the Senate fails to concur and asks for a conference thereon.

The President appoints as conferees on the part of the Senate, Senators Waynick and Hanes and a message is ordered sent to the House of Representatives informing that Body of such action.

H. B. 1661, a bill to amend House Bill 774, entitled "An act to amend the North Carolina game laws," ratified May 11, 1933.

Placed upon the Calendar.

H. B. 1677, a bill authorizing the Division of Purchase and Contract of the State of North Carolina to request bids and enter into a contract some manufacturing company for furnishing eye-glasses and frames to any county welfare department, board of charities, school teacher, school principal, school superintendent, civic clubs and any other organization doing charitable work.

Upon motion of Senator Land, the rules are suspended and the bill is placed upon its immediate readings.

Upon motion of Senator Land, the bill is laid upon the Table.



H. B. 1683, a bill supplemental to S. B. 180, it being "An act to allow the counties, municipalities and other governing agencies to refund sales certificates," ratified the 27th day of March, 1933.

Upon motion of Senator Summersill, the rules are suspended and the bill is placed upon its immediate readings.

Upon motion of Senator Summersill, the bill is laid upon the Table.

H. B. 1694, a bill to allow persons in Wake County to come under the provisions of H. B. 1321, of the 1933 session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations.

Placed upon the Calendar.

H. B. 1602, a bill to amend section 6108 of the Consolidated Statutes transferring the Enrolling Office from the Secretary of State to the General Assembly.

Upon motion of Senator Land, the rules are suspended and the bill is placed upon its immediate readings.

Upon motion of Senator Land, the bill is laid upon the Table.

H. B. 1662, a bill to amend Senate bill 180, entitled "An act to allow counties, municipalities and other governing agencies to refund tax sale certificates," ratified March 27, 1933.

Upon motion of Senator Hanes, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1695, a bill to authorize the Governor of North Carolina to appoint a commission to revise the tax laws of the State.

Upon motion of Senator Moore, the rules are suspended and the bill is placed upon its immediate readings.

Upon motion of Senator Moore, the bill is laid upon the Table.

S. R. 748, a joint resolution by the General Assembly of North Carolina providing for adjournment on Monday, May 15, 1933, for concurrence in the House amendment.

Upon motion of Senator Moore, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. B. 1697, a bill for the relief of taxpayers of Pender County.

Upon motion of Senator Brown, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

S. B. 618, a bill to preserve the recreational advantages of the State lakes, for concurrence in the House amendments.

Upon motion of Senator Beatty, the Senate concurs in the House amendment and the bill is ordered enrolled.

HOUSE OF REPRESENTATIVES,  
May 13, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that pursuant to your message of nonconcurrence in House amendments to S. B. No. 746, title "To repeal an act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof, enrolled and ratified May 9, 1933," the Chair has appointed as conferees on the part of the House of Representatives to act with like

appointees of your Body in considering and adjusting the differences arising, Messrs. Cherry, Cox and Turner.

Respectfully,

THAD EURE,  
*Clerk of the House.*

HOUSE OF REPRESENTATIVES,  
May 13, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House fails to concur in the Senate amendments to House Bill No. 1475, title, "To release and remit tax penalties heretofore imposed by the county of Rowan and all municipalities in said county." The Speaker has appointed as Conferees on the part of the House to confer with like appointees of the Senate to the end that the differences arising may be adjusted, Messrs. Murphy, Wilson and Johnson of Chatham.

Respectfully,

THAD EURE,  
*Clerk of the House.*

The President appoints as Conferees on the part of the Senate, Senators Hartsell and Clement and a message is ordered sent to the House informing that Body of such action.

HOUSE OF REPRESENTATIVES,  
May 13, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing that Honorable Body that the House adopts report of Conferees on Senate bill No. 589, title "To allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties to come under the provisions of House Bill No. 1321 of the 1933 session of the General Assembly of North Carolina, relating to the bank deposits and the payment of debts and other obligations."

Respectfully,

THAD EURE,  
*Clerk of the House.*

The bill is ordered enrolled.

#### ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 444, an act to provide for admission into the Stonewall Jackson Training School and Samarcand Manor of delinquent boys and girls of the Cherokee Indian race, of Robeson County.

S. B. 574, an act supplemental to and amendatory of Senate bill 238, entitled, "A bill to be entitled an act to transfer the State Highway Patrol from the Highway Department to the Department of Revenue and to require said Patrol to perform other and additional duties to those prescribed by the acts of 1929, chapter 218, and the act of 1931, chapter 381; and to transfer the illuminating oil, gas and lubricating oil, inspection division,



to the Department of Revenue and place upon the Commissioner of Revenue the duties and functions now performed by the Board of Agriculture and to authorize and require the Highway Patrol under the direction of the Department of Revenue to perform the duties of inspectors for such department; and to limit the number of motor vehicle inspectors," ratified April 15, 1933, it being "An act transferring the illuminating oil, gas and lubricating oil inspection division, to the Department of Revenue," etc.

S. B. 584, an act to amend chapter 110, article 4, Consolidated Statutes of 1919, relating to the practice of optometry.

S. B. 595, an act to amend section 2583 of the Consolidated Statutes of 1919, Volume I.

S. B. 605, an act prescribing the manner of advertisement and sale of school property.

S. B. 633, an act supplemental to Senate Bill 55, the same being "An act to amend section 3893 of the Consolidated Statutes of North Carolina, relating to fees of witnesses."

S. B. 712, an act exempting Pitt County from certain sections of House Bill 158, passed by the 1933 session of the General Assembly.

S. B. 637, an act to amend chapter 210, Public-Local Laws of 1931, relative to the Bladen County game laws.

S. B. 664, an act to aid public school teachers in securing, raising and renewing their certificates.

S. B. 683, an act to amend chapter 86 of the Public Laws of North Carolina, session of 1925, authorizing and empowering administrators, executors or collectors of a decedent's estate to renew obligations.

S. B. 688, an act to amend House Bill No. 1154, Public Laws of 1933, entitled "An act to provide for the reorganization of banks in North Carolina," so as to provide for the transfer of trust business in connection with the reorganization of national banks.

S. B. 693, an act relating to funding and refunding bonds of counties, municipalities and other governmental units.

S. B. 694, an act authorizing the board of aldermen of the city of Washington to appoint nine, instead of seven, trustees of the Washington Public School District, amending section 6, chapter 409, Public Laws of 1899, in reference thereto.

S. B. 699, an act to amend House Bill 1405, being "An act to fix the salaries and compensation of certain officers of Bladen County," ratified April 28, 1933.

S. B. 705, an act amending the act creating the office of tax collector in Cumberland County.

S. B. 706, an act authorizing the sheriff of Wilson County to accept county vouchers in payment of taxes.

S. B. 707, an act to amend House Bill 660, same being entitled "An act to require the fees for which a county is liable under article 5, chapter 23, Consolidated Statutes, to be applied upon the payment of taxes," ratified April 10, 1933, so as to exempt Wilson County from the provisions of said act."

S. B. 709, an act to repeal House Bill 1297, entitled "An act to amend Senate Bill 180 of the session of the General Assembly of 1933, so as to

exclude Jackson County from the mandatory provisions of said act," ratified May 5, 1933.

S. B. 714, an act to reduce and remit part of the tax penalties heretofore imposed by the counties of Catawba and Iredell and all municipalities in said counties.

S. B. 716, an act to amend the revenue act with relation to absorption of the tax on motion pictures.

S. B. 719, an act relative to drainage assessments.

S. B. 747, an act to repeal House Bill 1623, of the present session of the General Assembly, ratified May 12, 1933, and to amend Senate Bill 180, of the present session of the General Assembly, ratified February 13, 1933.

H. B. 868, an act to provide for a closed season for four years for hunting quail or partridge in Yadkin County.

H. B. 1284, an act to amend section 25 of chapter 120 of the Public Laws of 1929, relating to choice of personal physician.

H. B. 1443, an act to amend the charter of the city of Hendersonville.

H. B. 1444, an act to amend the charter of the city of Hendersonville.

H. B. 1542, an act to provide additional safeguards in the creation, establishment and reorganization of drainage districts in Hyde County.

H. B. 1586, an act validating notes of the city of Thomasville and the city of Lexington.

H. B. 1595, an act authorizing postponement of sales for certain delinquent taxes and special assessments.

H. B. 1645, an act to amend the Machinery and Revenue Acts enacted at this session of the General Assembly.

H. B. 1653, an act to define the limits of the village of Yanceyville in the county of Caswell, and to prescribe the limits in said village in which beer and other beverages mentioned in the beverage control act of 1933, may be sold.

H. B. 1657, an act supplemental to and amendatory of House Bill No. 120, entitled "An act to raise revenue," passed and ordered enrolled, May 11, 1933.

H. B. 1658, an act to authorize the town of Wendell to accept its own bonds in payment of taxes and street assessments and to purchase its own bonds.

H. B. 1665, an act authorizing the board of commissioners of Columbus County to accept settlement for past due indebtedness.

H. B. 1666, an act to amend House Bill 1274, it being "An act to amend chapter 86, Public-Local Laws of 1931, being an act to place officers of Mecklenburg County on salaries.

H. B. 1669, an act to appoint S. M. Boyette, D. P. Spell and N. H. Barber justices of the peace in Johnston County.

H. B. 1670, an act to authorize the board of commissioners of Lee County and the municipalities therein to accept certain bonds in the payment of taxes.

H. B. 1671, an act to allow compensation to the board of aldermen of the city of Southport, North Carolina for regular meetings.

H. B. 1672, an act to repeal chapter 160 of the Public-Local Laws of 1931, same being "An act to reduce the fee allowed for seizure of illicit stills in Yadkin County from twenty dollars to ten dollars."



H. B. 1675, an act creating an agricultural and breeders' association for the county of Pasquotank on approval by the voters of said county.

H. B. 1684, an act regulating the salaries of certain officers of Wake County.

S. B. 703, an act to prohibit the sale of beer or other alcoholic beverages within one-half mile of any church building in the village of Worthville, Randolph County.

S. B. 731, an act to exempt drainage districts in Pitt County from operation of certain sections of Senate Bill No. 180, passed by the 1933 session of the General Assembly, relating to tax liens.

H. B. 1673, an act to amend Senate Bill 313, relating to the fees for registering Federal crop liens and Federal chattel mortgages, which was ratified March 20, 1933, by exempting Surry County from the operation of said act.

S. R. 685, a joint resolution authorizing the printing of Senate Bill 333, ratified May—, 1933, the same being "An act to amend the Preamble and the several sections of the Constitution of North Carolina.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 1091, a bill to limit the time in which actions may be maintained to recover deficiency judgments after the foreclosure of mortgages and deeds of trust on real estate.

Passes its second and third readings and is ordered enrolled.

H. B. 1654, a bill to permit localities having made a satisfactory adjustment with bondholders to supplement.

The bill fails to pass its second reading.

H. B. 1660, a bill to prevent fraud and deception in the sale of rebuilt electric storage batteries and prescribing penalties for violation thereof.

Passes its second and third readings and is ordered enrolled.

H. B. 1690, a bill to validate the official acts performed between April 1, 1933, and May 12, 1933, by justices of the peace appointed in the Omnibus Bill, ratified May 12, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1603, a bill relating to and providing for settlement between counties and the State in certain cases where counties are in default on account of loans made out of the Literary Fund and/or the Special Building Funds.

Upon motion of Senator Bailey, the bill is laid upon the Table.

H. B. 1398, a bill to prohibit fishing with stake nets between the hours of sunset and sunrise.

Senator Bailey offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 697, a bill to authorize the tax collector of Macon County, and his successors to collect back taxes in Macon County.

Passes its second and third readings and is ordered enrolled.

H. B. 706, a bill to amend section 1681 of the Consolidated Statutes of North Carolina so as to exempt Moore County from provision for payment for damages done by dogs.

Passes its second and third readings and is ordered enrolled.

H. B. 1481, a bill supplemental to and amendatory of Senate Bill 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933."

The amendment offered by Senator Dempsey is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1491, a bill to prohibit the setting of steel traps in Perquimans County for a period of two years.

Passes its second and third readings and is ordered enrolled.

S. B. 366, a bill to amend section 1681 of the Consolidated Statutes of North Carolina, relating to payment of damages for injury to person or property by dogs.

Senator Hanes offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives.

H. B. 1668, a bill to regulate the distribution of public funds and collect license fees in certain counties in North Carolina.

Passes its second and third readings and is ordered enrolled.

H. B. 1637, a bill authorizing the county commissioners of Columbus County to convey to a trustee all real property, bought by said county under tax foreclosure proceedings.

Senator Waynick offers an amendment.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 836, a bill to authorize the State Superintendent of Public Instruction to pay from the tax reduction fund the balance due certain school teachers in Wilkes County on salaries for the years 1931-1932.

Passes its second and third readings and is ordered enrolled.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives.

HOUSE OF REPRESENTATIVES,

May 13, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House of Representatives fails to concur in Senate amendments to House Bill No. 1481, title, "Supplemental to and amendatory of Senate Bill No. 125, it being 'An act to provide for and regulate the manufacture, transportation, and sale of certain beverages,' ratified April 28, 1933. The Speaker has appointed as Conferees on the part of the House to act with like appointees of your Body to the end that the differences arising may be considered and adjusted, Messrs. Randolph, Tompkins and Cherry.

Respectfully,

THAD EURE,  
*Clerk of the House.*



The President appoints as Conferees on the part of the Senate, Senators Hartsell and Waynick and a message is ordered sent to the House of Representatives, informing that Body of such action.

Upon motion of Senator Grady, the Senate adjourns to meet Monday at 11:00 o'clock a.m.

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### ONE HUNDRED THIRTEENTH DAY

SENATE CHAMBER,  
MONDAY, May 15, 1933.

The Senate meets pursuant to adjournment, and is called to order by Lieutenant-Governor A. H. Graham.

Prayer is offered by Dr. A. B. Hunter of Raleigh, N. C.

Senator Patton for the Committee on Journal announces that he has examined the Journal of yesterday and finds the same correct, and upon his motion, the reading of the Journal is dispensed with and it stands approved as written.

The courtesies of the floor are extended to Prof. Scott and Scott High School, Vance County.

Upon motion of Senter Hartsell, S. B. 718, a bill to amend chapter 149, Public Laws 1927, which is "An act governing the sales of stocks, bonds and other securities in the State of North Carolina, to bring the act up to date and to strengthen its provisions," is ordered recalled from the Enrolling Office.

Upon motion of Senator Hartsell, the vote by which the Senate concurred in the House amendment is reconsidered.

Upon motion of Senator Waynick, H. B. 1058, a bill directing the disposition of that portion of money which remains of a fund heretofore turned over by the United States Government to the State of North Carolina for payment to veterans of the Spanish-American War from time of their call to duty in 1898 until their muster into service of the United States by payment of interest to the department of North Carolina United Spanish War Veterans, is taken from Committee on Finance and placed upon the Calendar.

Upon motion of Senator Kirkpatrick, H. B. 1420, a bill to regulate and provide for the inspection, grading and testing of milk and to provide of fertilizer laboratories, is taken from the unfavorable Calendar and placed upon the Calendar.

Upon motion of Senator Clark, H. B. 1424, a bill to provide for certification of fertilizer laboratories, is taken from the unfavorable Calendar and placed upon the Calendar.

### CONFERENCE REPORTS

Senator Waynick for the Conferees appointed to consider the differences arising upon S. B. 746, a bill to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof, submits the following report:

*To the President of the Senate and Speaker of the House of Representatives:*

We, the undersigned Conferees on the part of the Senate and House of Representatives, in adjusting the differences arising between the two bodies in Senate bill 746 entitled "An act to repeal an act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof," enrolled and ratified May 9, 1933, do hereby recommend that the House recede from its amendment.

Respectfully submitted,

CAPUS M. WAYNICK,  
R. M. HANES,

*Conferees on the part of the Senate.*

R. M. COX,  
THOMAS TURNER,  
R. G. CHERRY,  
(reserved)

*Conferees on the part of the House.*

Upon motion of Senator Waynick, the Senate adopts the Conference report and a message is ordered sent to the House of Representatives, informing that Body of such action.

Senator Hartsell for the Conferees appointed to consider the differences arising upon H. B. 1481, a bill supplemental to and amendatory of Senate Bill No. 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933, submits the following report:

*To the President of the Senate and the Speaker of the House of Representatives:*

We, the undersigned Conferees on Committee substitute for House Bill No. 1481, a bill to be entitled "An act supplemental to and amendatory of Senate Bill No. 525, it being 'An act to provide for and regulate the manufacture, transportation and sale of certain beverages,'" ratified April 28, 1933, beg leave to report as follows:

We recommend that both Houses pass in lieu of Senate amendment an amendment of section 5 of the original bill, to strike out the words and figures \$40.00 and insert in lieu thereof, the words and figures \$60.00.

Respectfully submitted,

L. T. HARTSELL, JR.,  
CAPUS M. WAYNICK,

*Conferees on the part of the Senate.*

DAN TOMPKINS,  
R. G. CHERRY,  
J. P. RANDOLPH,

*Conferees on the part of the House.*

Upon motion of Senator Hartsell, the Senate adopts the Conference report. There being new matter contained in the Conference report, the President rules that the report be placed upon its several readings.



Passes its second and third readings and a message is ordered sent to the House of Representatives, informing that Body of such action.

Upon motion of Senator Patton, H. B. 1696, a bill supplemental to and amendatory of H. B. 1575, being "An act authorizing the county of Jackson to retire its bonded indebtedness," ratified May 13, 1933, is taken from the Table and placed upon the Calendar.

John Graham, son of Lieutenant-Governor A. H. Graham and Laura Day Beatty, daughter of Senator Beatty, are made Honorary Pages of the Senate.

Upon motion of Senator Waynick, the vote by which the Senate adopted the Conference report to S. B. 746, a bill to repeal an act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof, is reconsidered.

Upon motion of Senator Waynick, the vote by which the Senate failed to concur in the House amendment is reconsidered.

Upon motion of Senator Waynick, the Senate concurs in the House amendment and the bill is ordered enrolled.

Upon motion of Senator Hartsell, the vote by which the Conference report on H. B. 1481, a bill supplemental to and amendatory of Senate Bill 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933, was adopted, is reconsidered.

Upon motion of Senator Hartsell, H. B. 1481, a bill supplemental to and amendatory of Senate Bill 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April, 28, 1933, is recalled from the House of Representatives.

#### REPORTS OF COMMITTEES

Bills and resolutions are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator McNeill of Ashe, for the Committee on Election Laws:

H. B. 379, a bill relative to the holding of elections in the County of Ashe, with a favorable report, as amended.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Senator MacLean: S. B. 752, a bill relating to drainage districts in Hyde County.

Upon motion of Senator MacLean, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Hill, by request: S. B. 753, a bill to repeal Senate bill No. 695, 1933 session of the General Assembly of North Carolina, and reenact chapter 176 of the Private Laws of 1927, relating to the operation of pool rooms in the village of Haw River, North Carolina.

Upon motion of Senator Hill, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Brown: S. B. 754, a bill creating an agricultural and breeders association for the counties of New Hanover and Haywood on the approval by the voters of said counties.

Upon motion of Senator Brown, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Patton: S. B. 755, a bill to amend House Bill 1034, the same being "A bill to be entitled an act relating to the quadrennial assessment of property for taxation in Macon County," ratified March 23, 1933.

Upon motion of Senator Patton, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Clark: S. B. 756, a bill to allow the board of county commissioners of Edgecombe County to appoint a bank or trust company, not located in Edgecombe County, as its financial agent.

Upon motion of Senator Clark, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator Ingram: S. B. 757, a bill supplemental to and amendatory of Senate bill 696, same being "An act to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes levied for the year 1933 and thereafter," ratified May 12, 1933.

Upon motion of Senator Ingram, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

By Senator MacLean: S. R. 758, a joint resolution by the Senate and House of Representatives to provide for printing the committee substitute for Senate Bill 156, known as the school machinery bill.

Upon motion of Senator MacLean, the rules are suspended and the resolution is placed upon its immediate readings.

Passes its second and third readings and is ordered sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

S. B. 544, a bill to amend S. B. 180, Public Laws 1933, ratified on the 27th day of March 1933, being "An act to allow the counties, municipalities and other governing agencies to refund the tax sale certificates," for concurrence in the House amendment.



Upon motion of Senator Bland, the Senate concurs in the House amendment and the bill is ordered enrolled.

S. B. 554, a bill safeguarding life and property by prohibiting the sale, disposal of by gift or as premiums of certain electrical materials, devices, appliances and equipment unless such electrical materials, devices, appliances and equipment are in conformity with approved methods of construction for safety to life and property, for concurrence in the House amendment.

Upon motion of Senator Bland, the Senate concurs in the House amendment and the bill is ordered enrolled.

H. R. 1699, a joint resolution for the relief of Henry Atwater.

Placed upon the Calendar.

Passes its second and third readings and is ordered enrolled.

H. B. 1700, a bill to provide for the appointment of a mayor and four commissioners for the town of Coats, Harnett County.

Placed upon the Calendar.

Passes its second and third readings and is ordered enrolled.

H. B. 1701, a bill supplemental to and amendatory to House bill No. 1664, the same being "An act to amend chapter 121, Private Laws of 1931, in order to clarify the election laws of the city of Asheville," ratified May 13, 1933.

Placed upon the Calendar.

Passes its second and third readings and is ordered enrolled.

H. B. 1702, a bill to authorize the town of Marshville to accept its own bonds in payment of taxes and street assessments.

Upon motion of Senator Boggan, the rules are suspended and the bill is placed upon its immediate readings.

Senator Moore offers an amendment which fails of adoption.

Passes its second and third readings and is ordered enrolled.

H. B. 1703, a bill to allow the commissioners of Union County to suspend tax penalties for the year 1932.

Upon motion of Senator Boggan, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1704, a bill regulating hunting in Cumberland County.

Upon motion of Senator McNeill of Cumberland, the rules are suspended and the bill is placed upon its immediate readings.

Senator McDuffee moves that the bill lie upon the Table.

The motion fails to prevail.

Passes its second and third readings and is ordered enrolled.

H. B. 1705, a bill to amend H. B. 158, ratified March 13, 1933 and known as the tax foreclosure act of 1933, as the same relates to Nash County.

Upon motion of Senator Dempsey, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1706, a bill to coordinate and consolidate the functions of government for Duplin County.

Upon motion of Senator Barker, the bill is laid upon the Table.

H. B. 1707, a bill to authorize the board of county commissioners of Caswell County, in their discretion, to confer additional duties on the county accountant.

Upon motion of Senator Hill, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1708, a bill to supplement and amend the Public Laws 1933, known as the Omnibus Act, appointing justices of the peace, relating to Durham County.

Upon motion of Senator Hill, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1709, a bill to allow the commissioners of Moore County to suspend tax penalties for the year 1932.

Upon motion of Senator Ingram, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1570, a bill to preserve and make more secure the charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti or other intoxicants.

Placed upon the Calendar.

H. B. 1710, a bill to amend H. B. 1594, same being a bill to be entitled "An act permitting and authorizing the use of glasses at soda fountains and at public drinking places in Robeson County," ratified May 12, 1933.

Upon motion of Senator Moore, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

H. B. 1711, a bill to empower the board of commissioners of Surry County, in their discretion, to postpone the sale of real estate for 1932 taxes to December 1, 1933.

Upon motion of Senator Hanes, the rules are suspended and the bill is placed upon its immediate readings.

Passes its second and third readings and is ordered enrolled.

S. B. 604, a bill to repeal H. B. 158, Public Laws, 1933, being "An act setting up and establishing the methods, processes and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes, for concurrence in the House substitute.

The House substitute is adopted.

Passes its second and third readings and is ordered enrolled.

HOUSE OF REPRESENTATIVES.

May 15, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body with the information that the House of Representatives requests the return of Senate bill No. 718, title "To amend chapter 149, Public Laws 1927, which is an act governing the sale of stocks, bonds and other securities in the State of North Carolina to bring the act up to date and to strengthen its provisions," for further consideration by the House of Representatives.

Respectfully,

THAD EURE,  
*Clerk of the House.*



Upon motion of Senator Hartsell, the bill is ordered returned to the House of Representatives.

HOUSE OF REPRESENTATIVES,

May 15, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate, informing that Honorable Body that the House of Representatives has declined to adopt the report of the Conference Committee, heretofore appointed by the House of Representatives and the Senate in House Bill 1481, a bill to be entitled "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933, and the Conferees on the part of the House are continued.

Respectfully submitted,

THAD EURE,

*Clerk of the House.*

HOUSE OF REPRESENTATIVES,

May 15, 1933.

*Mr. President:*

It is ordered that a message be sent informing your Honorable Body that the House of Representatives has discharged its Conferees appointed to adjust the differences arising between the two Houses on House Bill No. 1481, title, "Supplemental to and amendatory of Senate Bill No. 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933. The House of Representatives refuses to concur in Senate amendments to the above bill and asks for appointment of a second conference committee.

Respectfully,

THAD EURE,

*Clerk of the House.*

HOUSE OF REPRESENTATIVES,

May 15, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate informing your Honorable Body that the House has discharged its conferees appointed to consider and adjust the differences between the two Houses on House Bill No. 1475, title, "To release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said county," you are further advised that the House of Representatives has concurred in the Senate amendments to House Bill No. 1475, and the same is ordered enrolled.

Respectfully,

THAD EURE,

*Clerk of the House.*

HOUSE OF REPRESENTATIVES,

May 15, 1933.

*Mr. President:*

It is ordered that a message be sent to the Senate, informing that Honorable Body that the House of Representatives has failed to adopt report of Conferees, heretofore appointed by the Senate and House of Representatives, on S. B. 746, entitled "An act to repeal an act to provide for

competitive bidding for construction or repair work or for the purchase of apparatus, supplies, materials or equipment by the State of North Carolina or the subdivisions thereof," Enrolled and ratified May 9, 1933, and respectfully request that the Conference Committee be continued.

Respectfully submitted,

THAD EURE,

*Clerk of the House.*

HOUSE OF REPRESENTATIVES,

May 15, 1933.

*Mr. President:*

It is ordered that a message be sent your Honorable Body requesting the return of House Bill No. 1470, "To preserve and make more secure the charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti or other intoxicants," for further consideration by the House of Representatives.

Respectfully,

THAD EURE,

*Clerk of the House.*

Upon motion of Senator Hinsdale, the bill is ordered returned to the House of Representatives.

HOUSE OF REPRESENTATIVES,

May 15, 1933.

*Mr. President:*

Pursuant to message received from your Body, we are returning herewith, for your further consideration, H. B. 1481, title "Supplemental to and amendatory of S. B. 525, it being 'An act to provide for and regulate the manufacture, transportation and sale of certain beverages,' ratified April 28, 1933" for further consideration by your Honorable Body.

Respectfully,

THAD EURE,

*Clerk of the House.*

Upon motion of Senator Hartsell, the vote by which the bill passed its third reading is reconsidered.

Upon motion of Senator Hartsell, the vote by which the Senate amendment was adopted is reconsidered, and the amendment is withdrawn.

The bill passes its third reading and is ordered enrolled.

#### CALENDAR

Bills and resolutions on the Calendar are taken up and disposed of as follows:

Conference report on S. B. 156, it being "An act to promote efficiency in the organization and economy in the administration of the public schools of the State; to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor, upon third reading.

The bill passes third reading, ayes 37, noes, 0, as follows:



Those voting in the affirmative are: Senators Aiken, Bagley, Bailey, Barker, Bell, Bland, Blue, Boggan, Brown, Burgin, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Greene, Griffin of Chowan, Griffin of Franklin, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Joyner, Kirkpatrick, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, Moore, Patton, Summersill—37.

The bill is ordered enrolled.

H. B. 1318, a bill authorizing a special tax levy for the expense of re-valuing property in Sampson County, upon third reading.

The bill passes third reading, ayes, 38, noes, 0, as follows:

Those voting in the affirmative are: Senators Aiken, Bagley, Barker, Bell, Bland, Blue, Boggan, Brown, Clark, Clement, Corey, Cross, Dempsey, Dunagan, Efird, Francis, Grady, Greene, Griffin of Chowan, Hairfield, Hanes, Hartsell, Hill, Hinsdale, Ingram, Joyner, Land, Long, MacLean, McBryde, McDuffee, McNeill of Ashe, McNeill of Cumberland, Moore, Noell, Patton, Summersill, Waynick—38.

The bill is ordered enrolled.

S. B. 751, a bill repealing Senate Bill 686, relating to agricultural lime produced by convict labor, upon third reading.

Passes its third reading, and is ordered sent to the House of Representatives.

H. B. 1058, a bill directing the disposition of that portion of money which remains of a fund heretofore turned over by the United States Government to the State of North Carolina for payment to veterans of the Spanish American War from time of their call to duty in 1898 until their muster into service of the United States, by payment of interest to the Department of North Carolina United Spanish War Veterans.

Passes its second and third readings and is ordered enrolled.

H. B. 1420, a bill to regulate and provide for the inspection, grading and testing of milk and to provide standards for the same.

Senator Burgin moves that the bill do lie upon the Table.

The motion fails to prevail.

Passes its second and third readings and is ordered enrolled.

H. B. 1424, a bill to provide for certification of fertilizer laboratories.

Passes its second and third readings and is ordered enrolled.

H. B. 1696, a bill supplemental to and amendatory of House Bill 1575, being "An act authorizing the county of Jackson to retire its bonded indebtedness," ratified May 13, 1933.

Senator Patton offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 379, a bill relative to the holding of elections in the county of Ashe.

The amendment offered by the Committee is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

H. B. 1415, a bill to amend chapter 78, of the Consolidated Statutes of North Carolina so as to authorize the investment of trust funds in building and loan associations, upon third reading.

Passes its third reading and is ordered enrolled.

H. B. 1246, a bill to validate sales of lands for taxes by the county of Surry and the several incorporated towns therein.

Passes its second and third readings and is ordered enrolled.

H. B. 1623, a bill to repeal chapter 9 of the Private Laws of 1927, and to amend chapter 32 of the Private Laws of 1915, relating to the tax collector of the city of New Bern.

Passes its second and third readings and is ordered enrolled.

H. B. 1359, a bill to empower the board of commissioners of Surry County in their discretion to postpone the sale of real estate for 1932 taxes to December 1, 1933.

Passes its second and third readings and is ordered enrolled.

H. B. 1661, a bill to amend House Bill No. 774, entitled "An act to amend the North Carolina Game Laws," ratified May 11, 1933.

Senator McNeill of Cumberland offers an amendment.

Upon motion of Senator Ingram, the bill together with pending amendment is laid upon the Table.

H. B. 1694, a bill to allow persons in Wake County to come under the provisions of House Bill of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations.

Upon motion of Senator Hinsdale, the bill is laid upon the Table.

#### ENROLLED BILLS

Senator Efrd, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 145, an act to appoint justices of the peace for Pitt County.

S. B. 618, an act to preserve the recreational advantages of the State lakes.

S. B. 626, an act to authorize the State Highway Commission to designate certain roads as light traffic roads.

S. B. 686, an act to repeal S. B. 476, ratified April 24, 1933, entitled "An act that the sale of lime produced by convict labor be confined to the various State departments and its subdivisions."

S. B. 701, an act to supplement the appropriation made to the corporation commission and/or the public utility commissioner.

S. B. 723, an act to amend House Bill 1232, being "An act to appoint justices of the peace in the several counties in North Carolina."

S. B. 724, an act providing for the mayor of the city of Hendersonville to serve as juvenile judge of the said city.

S. B. 730, an act to repeal House Bill 1560, entitled "A joint resolution making the chickadee the official bird of the State."

S. B. 733, an act to provide for regulations so as to prohibit unfair trade practices in the administration of the general retail sales tax law.

S. B. 736, an act to repeal chapter 151, Private Laws of 1927, and to amend chapter 136, Public Laws of 1917, so as to prescribe the time for



the city council of the city of Reidsville to be inducted into office and to make the municipal year and fiscal year concurrent.

S. B. 737, an act to transfer the Division of Weights and Measures to the Department of Revenue and for other purposes.

S. B. 740, an act to amend S. B. 681, ratified May 11, 1933, amending House Bill 1066, ratified April 11, 1933, relating to license for fishing in certain waters in Macon and Cherokee counties.

S. B. 743, an act giving the county commissioners of Cumberland County the authority to fix the salaries of the officers and employees of said county.

S. B. 749, an act authorizing the director of the budget to use certain unencumbered balances existing under the appropriations of 1931, to discharge interest obligations incurred in operation of public schools.

H. B. 95, an act to amend section 1334 of the Consolidated Statutes in regard to the publication of annual statement of claims and revenues in Hertford County.

H. B. 697, an act to authorize the tax collector of Macon County and his successors to collect back taxes in Macon County.

H. B. 706, an act to amend section 1681 of the Consolidated Statutes of North Carolina so as to exempt Moore County from provision for payment for damages done by dogs.

H. B. 836, an act to authorize the State Superintendent of Public Instruction to pay from the tax reduction fund the balance due certain school teachers in Wilkes County on salaries for the school year 1931-1932.

H. B. 926, an act to amend section 3481 of the Consolidated Statutes of North Carolina by conferring upon the Corporation Commission or its successor the power to authorize the cessation of passenger service upon railroads where the convenience and necessity of the traveling public do not require the running of passenger trains.

H. B. 1091, an act to limit the time in which actions may be maintained to recover deficiency judgments after the foreclosure of mortgages and deeds of trust on real estate.

H. B. 1450, an act to amend section 3337 of the Consolidated Statutes, pertaining to acknowledgment before justices of the peace where clerk's certificates or order of registration defective, applicable only to the counties of Clay and Buncombe.

H. B. 1472, an act to amend chapter 103, Public Laws 1929, relating to the punishment for obtaining entertainment at hotels and boarding houses without paying therefor.

H. B. 1491, an act to prohibit the setting of steel traps in Perquimans County for a period of two years.

H. B. 1500, an act to amend chapter 260 of the Public Laws of North Carolina, session of 1931, and chapter 204 of the Public Laws of North Carolina, session of 1929, relating to tax sales.

H. B. 1572, an act to authorize the board of commissioners of the town of Morehead City, after notice and public hearing, to relieve church properties of special assessments.

H. B. 1575, an act to authorize the board of commissioners of Jackson County to retire their bonded indebtedness.

H. B. 1578, an act to amend an act ratified on the 5th day of May, 1933, the same being entitled "An act to amend chapter 122 of the Public Laws of 1927 and amendatory acts thereto, particularly chapter 336 of the Public Laws of 1931, so as to change the rates for automobiles, trucks, truck tractors, trailers, semi-trailers and busses," and being committee substitute for House Bill 446.

H. B. 1588, an act to allow the towns of Rockingham and Ellerbe to accept their respective bonds in payment of past due taxes.

H. B. 1627, an act to authorize the town of Maxton to accept its obligations in payment of taxes and assessments.

H. B. 1639, an act to authorize the Director of the Division of Purchase and Contract to exchange the automobile now owned by the State of North Carolina and allotted to the Governor for another automobile whenever in his judgment same is necessary.

H. B. 1660, an act to prevent fraud and deception in the sale of rebuilt electric storage batteries and prescribing penalties for violation thereof.

H. B. 1662, an act to amend Senate Bill No. 180, entitled "An act to allow the counties, municipalities and other governing agencies to re-fund tax sale certificates," ratified March 27, 1933.

H. B. 1668, an act to regulate the distribution of public funds and collect license fees in certain counties in North Carolina.

H. B. 1678, an act relating to certain fees of clerk Superior Court, Gates County.

H. B. 1679, an act to amend Senate Bill No. 318, being "An act to improve the sanitary conditions of the manufacture of bedding," ratified May 3, 1933, so as to exempt Edgecombe, Wilson and Lenoir counties.

H. B. 1680, an act to appoint E. H. Ballentine a justice of the peace for Middle Creek Township, Wake County, and to validate the official acts heretofore performed by him.

H. B. 1681, an act relating to the advertisement of delinquent taxes in Montgomery County.

H. B. 1685, an act supplemental to and amendatory of House Bill No. 1232, it being "An act to appoint justices of the peace for the several counties of North Carolina," ordered enrolled May 13, 1933.

H. B. 1688, an act to provide for the collection of court costs in suits now pending in the Edgecombe County Superior Court.

H. B. 1689, an act to amend chapter 187 of the Private Laws of 1931, relating to the salary of the mayor of the town of Boone, Watauga County.

H. B. 1690, an act to validate the official acts performed between April 1, 1933 and May 12, 1933 by justices of the peace appointed in the omnibus bill, ratified May 12, 1933.

H. B. 1691, an act to amend Senate Bill 589, relating to closed banks in certain counties.

H. B. 1697, an act for the relief of taxpayers in Pender County.

H. B. 1698, an act conferring additional powers upon the county board of health of Columbus County, with respect to sanitation and prevention of disease.

H. R. 1565, Joint resolution to authorize the State Highway Commission to vest in the United States Government title to bridge and its abutments on route 91 across Wilkerson's Creek in Hyde County.



S. R. 581, a joint resolution directing the Secretary of State to have the enrolled and ratified acts and resolutions of the General Assembly of 1931 and 1933 bound in usual form.

S. R. 748, A joint resolution by the General Assembly of North Carolina, providing for adjournment on Monday, May 15, 1933.

S. B. 676, an act to prevent kidnapping in the State of North Carolina, and fixing the penalty for kidnapping a human being.

S. B. 650, an act to amend section 162 of the budget revenue bill of 1933, concerning the chain store tax covering departments in a department store.

H. B. 1291, an act to consolidate under the motor vehicle bureau in the Department of Revenue all activities of the State, relating to the registration and licensing of motor vehicles, the inspection of gasoline and other petroleum products, the collection of gasoline taxes, and the enforcement of the motor vehicle laws.

H. B. 1686, an act creating an agricultural and breeders' association for the county of Rowan on approval by the voters of said county.

S. B. 744, an act to authorize the city of Durham to accept certain bonds in payment of taxes, special assessments and other dues.

S. B. 653, an act to amend section 218 (c) of Volume III, of the Consolidated Statutes, as amended by chapter 113, Public Laws of 1927, relating to unclaimed deposits in closed banks.

S. B. 589, an act to allow persons in Cherokee, Haywood, Henderson, Jackson, Macon, Rutherford and Transylvania counties to come under the provisions of House Bill No. 1321 of the 1933 Session of the General Assembly of North Carolina, relating to bank deposits and the payment of debts and other obligations.

S. B. 366, an act to amend section 1681 of the Consolidated Statutes of North Carolina, relating to payment of damages for injury to person or property by dogs.

#### MESSAGE FROM THE GOVERNOR

The following message is received from His Excellency, Governor J. C. B. Ehringhaus:

*To the members of the General Assembly:*

May I not, in these closing moments of your 1933 session, express to you collectively, as I have tried to do to many of you individually, my sincere appreciation of the splendid work which you have done in the most difficult days of modern times. It has been particularly pleasing to me to note that though differences of opinion were freely expressed there has been an almost universal regard for the rules of good sportsmanship and recognition of the essential patriotism which was behind them. This is altogether healthy, and though each of us may find in the final results things that are not exactly to our liking, the sum total of your accomplishment is, in my humble opinion, a splendid contribution to the welfare and progress of the Commonwealth.

In the first moments after adjournment there may be something of misunderstanding, but time will bring to the people an ever-increasing conviction of the essential righteousness of what has been done and approval of the course which you have pursued. For time will show, as nothing

else, that you have wrought a substantial economy, a substantial reduction in tax burdens upon property, a preservation of the essentials in our civilization and the fundamentals of our economic and social progress. No government on the continent can surpass your record of achievement in economy, and yet you have pioneered in making North Carolina the first State in the American Union to guarantee to every child within its borders an eight months school term at State expense.

And last, but by no means least, by provision for a real and unmistakably balanced budget you have preserved the credit of the State in the most difficult time within our memory and given proof once more to the world of North Carolina's high regard for its good faith pledged and determination that its honorable obligations shall be honorably met.

It has been a pleasure for me to coöperate so far as possible with you in the labors which have engaged our attention, and individually as well as collectively you will depart with my admiration, respect and very sincere good will. It is for those of us who remain here in office after you have gone to carry on according to the pattern which you have fashioned.

In ancient Rome at the beginning of a gladiatorial contest the gladiators stood before the Emperor and gave the pledge: "Hail, Caesar, we who are about to die salute you!" In the presence of this splendid General Assembly which is now approaching its dying moment, those of us who are left behind would reverse the ancient pledge and say instead: "General Assembly, we who live on in service of the State when you have gone, salute you!" You are entitled to and will receive a faithful effort to carry out the provisions for the conduct of the government which you have made and the plaudits and commendation of the people whom you have so well served.

J. C. B. EHRLINGHAUS,  
*Governor.*

Upon motion of Senator Moore, by a unanimous rising vote the message is accepted and the thanks of the Senate extended to His Excellency, the Governor, for message and earnest spirit of coöperation which has been evidenced throughout the Session.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives, transmitting the following bills and resolutions, which are read the first time, and disposed of as follows:

H. B. 1470, a bill to preserve and make more secure the charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti, or other intoxicants.

Upon motion of Senator Hinsdale, the rules are suspended and the bill is placed upon its immediate readings.

Senator Hinsdale offers an amendment which is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives for concurrence in the Senate amendment.

S. B. 754, a bill creating an agricultural and breeders association for the counties of New Hanover and Haywood on the approval by the voters of said counties, for concurrence in the House amendments.



Upon motion of Senator Brown, the Senate concurs in the House amendments and the bill is ordered enrolled.

## ENROLLED BILLS

Senator Efird, for the Committee on Enrolled Bills, reports the following bills and resolutions properly enrolled, and they are duly ratified and sent to the office of the Secretary of State:

S. B. 735, an act to create a police and fireman's relief fund for persons engaged in departmental service in the city of High Point.

H. B. 1642, an act to provide for the organization, incorporation and operation of cash depositories in the county of Guilford.

S. B. 544, an act to amend Senate Bill No. 180, Public Laws, 1933, ratified on the 27th day of March, 1933, being "An act to allow the counties, municipalities and other governing agencies to refund tax sales certificates."

H. B. 1415, an act to amend chapter 78, of the Consolidated Statutes of North Carolina, so as to authorize the investment of trust funds in building and loan associations.

S. B. 756, an act to allow the board of county commissioners of Edgecombe County to appoint a bank, or trust company, not located in Edgecombe County, as its financial agent.

S. B. 750, an act to repeal House Bill No. 1320 the same being "An act regulating the collection of delinquent taxes in Sampson County," ratified the 11th day of May, 1933.

H. B. 1398, an act to prohibit fishing with stake nets between the hours of sunset and sunrise.

S. B. 314, an act exempting the Wesley Ellis Post American Legion from paying special or privilege tax to town corporation, or Mitchell County for sponsoring picture shows or other forms of entertainment.

S. B. 634, an act to regulate the time limit for liquidation of defunct banks in Rutherford County.

S. B. 755, an act to amend House Bill 1034, the same being a bill to be entitled "An act relating to the quadrennial assessment of property for taxation in Macon County," ratified March 23, 1933.

H. B. 1246, an act to validate sales of lands for taxes by the county of Surry and the several incorporated towns therein.

H. B. 1623, an act to repeal chapter 9 of the Private Laws of 1927, and to amend chapter 32 of the Private Laws of 1915, relating to the tax collector of the city of New Bern.

H. B. 1702, an act to authorize the town of Marshville to accept its own bonds in payment of taxes and street assessments.

H. B. 1701, a act supplemental and amendatory to House Bill 1664, the same being entitled "An act to amend chapter 121, Private Laws 1931, in order to clarify the election laws of the city of Asheville," ratified May 13, 1933.

H. B. 1420, an act to regulate and provide for the inspection, grading and testing of milk and to provide standards for the same.

H. B. 1424, an act to provide for certification of fertilizer laboratories.

S. B. 746, an act to repeal "An act to provide for competitive bidding for construction or repair work or for the purchase of apparatus, supplies,

materials or equipment by the State of North Carolina or the subdivisions thereof," enrolled and ratified May 9, 1933.

H. B. 1708, an act to supplement and amend the Public Laws of 1933, known as the "Omnibus Act" appointing justices of the peace, relating to Durham County.

H. B. 1704, an act regulating hunting in Cumberland County.

H. B. 1707, an act to authorize the board of county commissioners of Caswell County, in their discretion to confer additional duties on the county accountant.

H. B. 1703, an act to allow the commissioners of Union County to suspend tax penalties for the year 1932.

H. B. 1058, an act directing the disposition of that portion of money which remains of a fund heretofore turned over by the United States Government to the State of North Carolina for payment to veterans of the Spanish-American War from time of their call to duty in 1898 until their muster into service of the United States by payment of interest to the Department of North Carolina United Spanish War Veterans.

S. B. 554, an act safeguarding life and property by prohibiting the sale, disposal of by gift or as premiums of certain electrical materials, devices, appliances and equipment unless such electrical materials, devices, appliances and equipment are in conformity with approved methods of construction for safety to life and property.

H. R. 1699, joint resolution for the relief of Henry Atwater.

H. B. 1705, an act to amend House Bill 158, ratified March 13, 1933, and known as "The Tax Foreclosure Act of 1933," as the same relates to Nash County.

H. B. 1710, an act to amend House Bill 1594, same being a bill to be entitled, "An act permitting and authorizing the use of glasses at soda fountains and at public drinking places in Robeson County," ratified May 12, 1933.

H. B. 379, an act relative to the holding of elections in the county of Ashe.

H. B. 1318, an act authorizing a special tax levy for the expense of re-valuing property in Sampson County.

H. B. 1637, an act authorizing the county commissioners of Columbus County to convey to a trustee all real property, bought by said county under tax foreclosure proceedings.

H. B. 1359, an act to empower the board of commissioners of Surry County, in their discretion, to postpone the sale of real estate for 1932 taxes to December 1, 1933.

H. B. 1481, an act supplemental to and amendatory of Senate Bill 525, it being "An act to provide for and regulate the manufacture, transportation and sale of certain beverages," ratified April 28, 1933.

H. B. 1711, an act to empower the board of commissioners of Surry County, in their discretion, to postpone the sale of real estate for 1932 taxes to December 1, 1933.

H. B. 1475, an act to release and remit tax penalties heretofore imposed by the County of Rowan and all municipalities in said county, applicable also to Alexander, Ashe, Avery, Beaufort, Bertie, Bladen, Buncombe, Camden, Carteret, Caswell, Catawba, Chatham, Cherokee, Chowan, Clay, Colum-



bus, Craven, Cumberland, Currituck, Davie, Duplin, Durham, Franklin, Gates, Greene, Harnett, Haywood, Hertford, Hoke, Jackson, Johnston, Jones, Lee, Lenoir, Lincoln, Macon, Madison, McDowell, Moore, New Hanover, Onslow, Pamlico, Pasquotank, Perquimans, Person, Pitt, Robeson, Scotland, Stanly, Stokes, Surry, Swain, Transylvania, Tyrrell, Vance, Wake, Warren, Wayne, Wilkes, Yadkin, Yancey counties.

H. B. 1700, an act to provide for the appointment of a mayor and four commissioners for the town of Coats, Harnett County.

S. B. 757, an act supplemental to and amendatory of Senate Bill 696, same being "An act to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes levied for the year 1933 and thereafter," ratified May 12, 1933.

H. B. 1709, an act to allow the commissioners of Moore County to suspend tax penalties for the year 1932.

S. B. 753, an act to repeal Senate Bill No. 695, 1933 Session of the General Assembly of North Carolina, and reenact chapter 176 of the Private Laws of 1927, relating to the operation of pool rooms in the village of Haw River, North Carolina.

S. B. 604, an act to repeal House Bill 158, Public Laws of 1933, being "An act setting up and establishing the methods, processes, and proceedings by which a lien may be acquired upon real and personal property and the same sold and the title thereon conveyed for failure to pay taxes."

H. B. 1696, an act supplemental to and amendatory of House Bill 1575, being "An act authorizing the county of Jackson to retire its bonded indebtedness," ratified May 13, 1933.

S. B. 359, an act to amend chapter 116, Public Laws of 1919, as to Pitt County.

S. B. 752, an act relating to drainage districts in Hyde County.

S. R. 758, a joint resolution by the Senate and House of Representatives to provide for printing the Committee substitute for Senate Bill 156, known as the school machinery bill.

S. B. 156, an act to promote efficiency in the organization and economy in the administration of the Public Schools of the State; to provide for the operation of a uniform system of schools in the whole of the State, for a term of eight months, without the levy of any ad valorem tax therefor.

S. B. 754, an act creating an agricultural and breeders' association for the counties of New Hanover and Haywood on the approval by the voters of said counties, and to permit horse racing therein.

H. B. 1470, an act to preserve and make more secure the charter rights of Wake Forest College in relation to the sale of beer, spiritus frumenti or other intoxicants.

Upon motion of Senator MacLean, His Excellency, Governor J. C. B. Ehringhaus, is invited to appear and address the Senate.

The President appoints as a Committee to extend the invitation and to escort His Excellency to the Senate Chamber, Senators MacLean and Hanes.

The Committee proceeds to escort the Governor to the Senate Chamber, where he is heard in a personal message of appreciation of the services

of the members of the Senate and House of Representatives of the 1933 General Assembly.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

HOUSE OF REPRESENTATIVES,  
MONDAY, May 15, 1933.

*Mr. President:*

You are respectfully advised that the business of the House of Representatives has been concluded, and will be ready to open the doors of the House immediately upon receipt of information from your Honorable Body that you are ready to open your doors that the gavels may fall simultaneously and adjournment declared, sine die.

Respectfully,

THAD EURE,  
*Principal Clerk of the House.*

Pursuant to the information submitted above, the Senate, having completed the business before it, a message is ordered sent to the House of Representatives, informing that Honorable Body that the Senate stands ready for final adjournment.

The doors of the House of Representatives and Senate are thrown open; the Speaker of the House of Representatives is perceived standing ready to let fall the gavel. The hour for adjournment fixed by joint resolution passed by the two Houses having arrived, the President of the Senate declares the Senate of the General Assembly of the Session of 1933 adjourned sine die.

A. H. GRAHAM,  
*Lieutenant-Governor and  
President of the Senate.*

LEROY MARTIN,  
*Principal Clerk of the Senate.*



# APPENDIX

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## A JOINT RESOLUTION OF THE SENATE AND HOUSE DEALING WITH THE SALARIES OF CONSTITUTIONAL AND OTHER STATE OFFICERS

Whereas, it is apparent that the necessity is great in all branches of the State government to curtail expenses and reduce salaries, including those of all constitutional officers; and

Whereas, it is equally apparent that due consideration must be given to the manner and extent of such reductions;

*Resolved by the General Assembly of North Carolina, both the Senate and House of Representatives concurring:*

Section 1. That all constitutional officers be and they are hereby called upon and requested to declare their willingness to accept such reduction in their respective salaries dating from January 1, 1933, as this General Assembly may hereafter determine to be necessary and reasonable:

Sec. 2. That all such constitutional officers after the report of the Committee, hereinafter named be and they are requested to file their consent in writing with the Governor as Director of the Budget and, failing to do so, will be conclusively presumed to have consented thereto.

Sec. 3. That a copy of this resolution shall be sent to every constitutional officer and a record made and kept of such of them, if any, as may decline to be bound hereby.

Sec. 4. That the Senate and House Committees on salaries and fees, acting as a Joint Committee for that purpose, be and they hereby are authorized and requested to report a Bill indicating such reductions, if any, as ought fairly to be made in the salaries of all constitutional and other State officers.

Sec. 5. This resolution shall be in force from and after its ratification.

## A RESOLUTION TO REQUIRE A COMMITTEE TO SECURE AND SUBMIT ESTIMATES AS TO THE COST OF REPLACING ALL WOODEN MATERIALS IN THE STATE PRISON WITH STEEL AND CONCRETE STRUCTURE

*Be it resolved*, that the President of this Body is hereby requested to appoint three of its members as a Committee, together with Honorable George R. Pou, Superintendent of State Prison, to immediately secure and submit to this Body on the twentieth day of February, 1933, at eleven o'clock a.m., without cost to the State, estimates as to the cost of replacing all wooden materials of whatever kind, nature or description within the confines of the State Prison Building as located in Raleigh, North Carolina, with steel and concrete structure, so as to make said State Prison Building more safe for the preservation of life, limb and the good name of the State, and in accordance with the ideals of the Christian religion.

A SENATE RESOLUTION TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO FURNISH THE GENERAL ASSEMBLY NOW IN SESSION WITH FIGURES AND CERTAIN INFORMATION REGARDING ALL LOCAL GOVERNMENT UNITS NOW IN DEFAULT

*Be it resolved by the Senate:*

(1) That the Local Government Commission immediately request every County, City, Town, District or any Local Government subdivision not herein included now in default of either principal or interest, or both, of any of its securities or obligations to furnish the Commission with the following information on or before January 26, 1933:

1. Total outstanding debt as of December 31, 1932.
2. Total and list of securities or obligations in default as of December 31, 1933.
  - (a) As to principal.
  - (b) As to interest.
  - (c) As to principal and interest.
3. Explicit reasons for default of each security.
4. What steps were taken to avoid default.
5. Status of all other outstanding securities or obligations.
6. What steps are being taken to resume payments of principal and interest.
7. Was default result of proven embezzlement or misappropriation, directly or indirectly.

(2) That the Local Government Commission immediately furnish the General Assembly with such figures or information of any and all nature of interest herein indicated and of the latest date regarding Local Government defaults which it does now possess.

(3) That a Committee of the Senate be appointed to receive and examined the facts now requested.

(4) That all correspondence in accordance with this resolution be available to the Committee.

(5) That the information requested in Section 1 be furnished the General Assembly not later than January 27, 1933.

#### RESOLUTION IN MEMORIAM OF CAPTAIN WALTER CLARK

Whereas, God, in His wisdom, on last Sabbath morning, February 19, 1933, summoned into His presence one of the best known and most useful citizens in the State of North Carolina, in the person of Captain Walter Clark, a former honored member of this Body; and

Whereas, it is fitting and proper that the members of this Senate take official cognizance of his departure, in that the deceased was not only a former honored member of the State Senate, rendering efficient and patriotic service during the Session of 1929, but a descendant of a long line of useful and patriotic men and women on both his father and mother's side, being a son of the late Chief Justice of the Supreme Court of North Carolina and a distinguished Confederate soldier, Walter Clark, and a grandson of a former Governor of North Carolina, a Speaker of the House of Representatives of this State, a former United States Senator and former Secretary of the Navy, William A. Graham, now, therefore,



*Be it resolved:*

First: That this Body do, here and now, by a unanimous rising vote stand for a moment in silence, out of respect for the memory of this distinguished North Carolinian, statesman, patriot and soldier, and out of respect, love and sympathy for his wife and children.

Second: That a copy of these resolutions be ordered printed in the Senate Journal, and a copy be sent to the surviving wife and children as an evidence of respect and esteem in which their departed loved one was held by the members of this Senate and the citizenship of North Carolina.

#### INVENTORY OF OFFICE FURNITURE AND FIXTURES IN THE OFFICE OF

##### Principal Clerk:

- One roll top desk.
- Four flat top desks.
- Six typewriter desks.
- Four tables or desks.
- Five large revolving chairs.
- One revolving oak desk chair.
- Two typewriter chairs.
- Four wire baskets.
- Seven bill files.
- Six clip boards.
- One steel combination bill case.
- Two hat and coat trees.
- One costumer.

Supply of rubber stamps, pen points, pen staffs, rubber erasers, one stapling machine and wire staples, paper clips, stenographer notebooks, small filing case and index.

Small supply of typewriter paper, second sheets, onion skin paper, note pads, carbon paper, blank forms, stationery, bill covers, ink wells, paste, art gum and one small wash stand.

##### Lieutenant-Governor's Office:

- One roll top desk.
- One flat top desk.
- One telephone table or desk.
- One revolving chair.
- Three plain chairs.
- Small supply of letter paper, notebooks, etc.
- One hat tree.
- One wire basket.

##### Journal Clerk's Office over Principal Clerk's Office:

- Three flat top desks.
- Two typewriter desks.
- Three revolving chairs.
- One typewriter chair.
- One hat tree.

AMOUNTS PAID SENATORS, OFFICERS AND EMPLOYEES OF THE SENATE  
LIEUTENANT-GOVERNOR'S OFFICE

<i>Name</i>	<i>No. Days</i> <i>Salary</i>	<i>Amount</i>	<i>Mileage</i>
A. H. Graham, Lieut. Gov.....	60	\$ 700.00	
PRINCIPAL CLERK'S OFFICE			
LeRoy Martin, Principal Clerk .....	139	850.00	
Ray Byerly, Journal Clerk .....	139	711.00	\$ 9.20
Claude Lewis, Calendar Clerk .....	135	693.00	6.40
Robert Cranor, Asst. Calendar Clerk .....	139	711.00	36.80
Snow Thigpen, Asst. Journal Clerk .....	139	711.00	15.00
Anna Atkinson, Asst. Journal Clerk .....	139	711.00	29.00
Mrs. Grace Harney, Asst. Journal Clerk .....	139	711.00	
Mrs. Harvey Parker, Asst. Journal Clerk.....	134	686.00	24.00
Ethel Lewis, Asst. Journal Clerk .....	92	460.00	
		<hr/>	<hr/>
		\$ 6,244.00	\$ 120.40

READING CLERK

B. Fritz Smith .....	132	\$ 676.00	
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SENATE STENOGRAPHERS

Mrs. Marietta C. Mann .....	132	\$ 676.00	\$ 34.00
Mrs. L. E. Jacoby .....	134	688.00	8.40
Miss Dorothy Vann .....	131	670.00	
Miss Bessie Tucker .....	131	670.00	33.00
Miss Sallie Pat Kafer .....	72	374.00	25.00
Mrs. Ransom Sanders .....	132	676.00	9.00
Mrs. C. G. Doak .....	131	670.00	
Mrs. M. R. Gorham .....	80	408.00	15.00
Miss Winnie N. Taylor .....	32	160.00	10.60
Mrs. Mary Moore Croom .....	78	390.00	11.40
Miss Rosa B. Carraway .....	28	151.00	23.80
Miss Dorothy Colquitt .....	56	280.00	29.30
		<hr/>	<hr/>
		\$ 5,813.00	\$ 199.50

PAGES

Stewart A. Curtis .....	132	\$ 330.00	\$ 13.00
Jack Vaughn .....	132	330.00	
John McCormick .....	132	330.00	4.60
Otis Jones .....	41	102.50	
Dillard Griffin .....	84	210.00	5.60
Benjamin F. Edwards .....	77	192.50	8.60
Benjamin F. Edwards, Acting Chief Page.....	55	192.50	
T. J. Horner, Jr., Acting Chief Page.....	41	147.50	6.00
Wm. F. Lynch, Acting Chief Page.....	29	101.50	4.60
		<hr/>	<hr/>
		\$ 1,936.50	\$ 42.40



## SERGEANT-AT-ARMS DEPARTMENT

<i>Name</i>	<i>No. Days</i> <i>Salary</i>	<i>Amount</i>	<i>Mileage</i>
John D. Norton, Sergeant-at-Arms .....	136	\$ 686.00	\$ 73.00
O. P. Shell, Ex-Sergeant-at-Arms .....	3	18.00	12.00
Ward Ray, Laborer .....	132	404.00	38.80
C. F. Griffin, Laborer .....	132	404.00	4.00
Bill Palmer, Laborer .....	132	404.00	33.00
T. B. Harris, Laborer .....	132	404.00	10.00
W. D. Martin, Laborer .....	132	404.00	14.50
J. H. Hackney, Laborer .....	132	404.00	10.60
W. M. Wadsworth, Laborer .....	132	404.00	3.30
Paschall Williams, Colored Laborer .....	81	210.50	
Hugh Davis, Colored Laborer .....	137	350.50	
George Burroughs .....	48	122.00	
		<hr/>	<hr/>
		\$ 4,215.00	\$ 199.20

## PRINTED BILLS DEPARTMENT

T. W. Costin, Clerk .....	87	\$ 450.00	\$ 32.00
C. D. Murphy, Clerk .....	88	456.00	28.00
J. A. Porter, Clerk .....	88	456.00	75.00
Mrs. Blanch B. Manor, Clerk .....	79	402.00	
		<hr/>	<hr/>
		\$ 1,764.00	\$ 135.00

## COMMITTEE CLERKS

Mrs. May Evans, Const. Amend.....	83	\$ 343.00	\$ 20.00
Jesse Giles, Education .....	83	343.00	22.00
Mary Killough, Finance .....	118	483.00	8.40
Mrs. Alma White, Appropriations .....	88	354.00	27.20
		<hr/>	<hr/>
		\$ 1,523.00	\$ 77.60

## SUMMARY

<i>Department</i>	<i>Per Diem</i>	<i>Mileage</i>	<i>Total</i>
Lieutenant-Governor's Office .....	\$ 700.00		\$ 700.00
Principal Clerk's Office .....	6,244.00	\$ 120.40	6,364.40
Reading Clerk .....	676.00		676.00
Senate Stenographers .....	5,813.00	199.50	6,012.50
Pages .....	1,936.50	42.40	1,978.90
Sergeant-at-Arms Department .....	4,215.00	199.20	4,414.20
Printed Bills Department .....	1,764.00	135.00	1,899.00
Committee Clerks .....	1,523.00	77.60	1,600.60
	<hr/>	<hr/>	<hr/>
	\$22,871.50	\$ 774.10	\$23,645.60

## MEMBERSHIP

50 Senators @ \$600.00 .....	\$30,000.00
<hr/>	<hr/>
Grand Total .....	\$53,645.60





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